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Bhadra 14, 1883 (Saka)

LOK SABHA DEBATES

(Fourteenth Session)

(Vol. LVIII contains Nos. 21—25)

LOK SABHA SECRETARIAT
NEW DELHI

ONE RUPEE (INLAND) FOUR SHILLINGS (FOREIGN)

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[*See cover page 3 also*]

LOK SABHA

Tuesday, September 5, 1961/ Bhadra 14, 1883 (Saka).

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER IN *the Chair*]

ORAL ANSWERS TO QUESTIONS

Marine Diesel Engine

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*1210. **Shri Chuni Lal:**
Shri Ram Krishan Gupta:
Shri Kodiyan:
Shri Narayanankutty Menon:
Shri Punnoose:
Shri Bibhuti Mishra:
Shri Daljit Singh:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 274 on the 23rd February, 1961 and state the nature of progress made so far in setting up of a factory to manufacture marine diesel engines?

The Minister of Industry (Shri Manubhai Shah): Two of the foreign firms who had shown interest earlier have since furnished detailed terms of collaboration. These are being examined.

Shri Chuni Lal: By what time will a final decision be taken?

Shri Manubhai Shah: I think it should not take more than three months. We are really waiting for the credit terms of foreign exchange for the import of plant and machinery I can assure the hon. Member that there are possibilities of its inclusion in the Third Five Year Plan.

Shri Kodiyan: May I know whether any decision has been taken as to the location of this factory?

Shri Manubhai Shah: This one was really connected with the Hindustan Shipyard at Visakhapatnam.

Shri Ramanathan Chettiar: Apart from the two firms mentioned by the hon. Minister, is there any proposal by the Defence Ministry to set up a factory?

Shri Manubhai Shah: Not this. This is specially for the shipbuilding yard, and one is a German firm and the other a Danish firm. We are negotiating with them.

Backward Areas

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*1211. **Shri Chuni Lall:**
Shri Ram Krishan Gupta:
Shri D. C. Sharma:

Will the Minister of **Planning** be pleased to refer to the reply given to Starred Question No. 1089 on the 24th March, 1961 and state:

(a) whether Government have ascertained the backward areas in the country;

(b) if so, the details of such areas, State-wise;

(c) special steps taken or proposed to be taken for their development; and

(d) at what stage is the proposal to set up advisory committees for these areas just as appointed for hilly areas of Punjab?

The Deputy Minister of Labour and Employment and Planning (Shri L. N. Mishra): (a) and (b). Broadly, the less developed areas in different States are known, but with the completion of the Report on the Third Plan further

studies will be made in co-operation with State Governments.

(c) These are indicated in Chapter IX of the Report on the Third Plan.

(d) Advisory Committees were proposed only for hilly areas in Punjab and Uttar Pradesh.

Shri Chuni Lal: May I know what are the main criteria of backwardness?

Shri L. N. Mishra: I will refer the hon. Member to Chapter IX of the Plan. There all these questions have been broadly discussed. We have also answered this question a number of times.

Shri Ramanathan Chettiar: May I know whether Government take a backward State as such or a backward area in a particular State as a backward region in that State?

The Minister of Labour and Employment and Planning (Shri Nanda): This question refers to backward areas within a State. Of course, States which are relatively less developed than other States have also been considered in another context.

Shri Mahanty: Since the days of the First Five Year Plan, we have been hearing about regional disparity and also the attempt to work out the indices for regional disparity. May I know if Government have since then worked out the indices for regional disparity?

Shri Nanda: Yes. The indices have been set up and criteria have been determined, but the content is certainly going to take time to grow. The information that becomes available is being utilised for that purpose.

Shri Mahanty: Since this is a very valuable information and has an impact on the entire gamut of Planning, may we request Government through you to lay this information on the Table as this information does not form part of the document known as the Third Five Year Plan?

Shri Nanda: When this information crystallises into something statistically comparable, certainly the House will have that information.

Shri Sampath: May I know whether Government have made any assessment of the *per capita* income Statewise?

Shri Nanda: Yes. That work has been undertaken now.

Shri Tyagi: Is there any scheme for exploitation of the mineral resources in the hilly areas which are generally backward?

Shri Nanda: That is certainly a hopeful line for the development of the hilly areas. As far as I know, something is being done in that direction.

Shri Vajpayee: The hon. Deputy Minister has just now stated that backward areas are known. May I know whether Government have compiled a list of these areas?

Shri Nanda: Backward areas are broadly known. That is not enough. Therefore, over the last year and a half we have been trying to locate them in a more precise manner. We have received answers from seven States already, in which they have given their own view of it. Then we are going to apply the test that we have evolved here and that will lead to more accurate information regarding these areas.

Mr. Speaker: The hon. Member wants to know whether the information supplied by the States will be made available to hon. Members.

Shri Nanda: I have answered that. It is not simply a question of collecting information. We are not going to remain content with having a working group that just collects and collates information. We are going to set up a unit in the Planning Commission which will pursue these matters on the implementation level, that is, get reports and study them; then teams may go out to see that these things are being attended to properly.

Shri Hem Barua: On a previous occasion, it was stated that the State

Governments had been asked to mark out the respective backward areas in their States. May I know which are the State Governments which have marked out backward areas in their States, and what is the test they have adopted in doing so?

Shri Nanda: I said 7 States, U.P., Punjab, Mysore, Orissa, Andhra Pradesh, Jammu and Kashmir and Gujarat have already given details. Information from the other States will be coming.

Shri Hem Barua: What is the test they have adopted?

Shri Nanda: This has been done in the light of the tests which have been laid down.

Mr. Speaker: In the report.

Shri Sadhan Gupta: May I know whether the 7 States which have indicated their backward areas have given a complete list or a provisional list?

Shri Nanda: The comprehensiveness of the information varies. In the case of some States, the information is fairly full; regarding some others, we have to get more information from them.

Shri Basumatari: The hon. Minister has stated that there is a scheme to work out the regional disparity and also collect information about backwardness. May I know whether there is any special scheme under the Third Five Year Plan, to uplift the backward people, specially the tribal people and Scheduled Castes?

Shri Nanda: In the consideration of the backwardness of an area, this is a special point.

Wage Board for Jute Industry

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*1212. { **Shri Pangarkar:** / **Shri Ram Krishan Gupta:** / **Shri Chuni Lal:** }

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 1101 on the 24th March 1961 and state:

(a) whether Government have received the final report of the Wage Board for jute industry; and

(b) if so, the main recommendations therein?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b) Does not arise.

Shri Pangarkar: May I know if any interim relief has been granted so far to the workers in jute mills as per the recommendations of the Wage Board? If so, what is the extent thereof?

Shri Abid Ali: Yes. Interim relief was recommended by the Board. There are 88 mills out of which 83 have implemented the recommendation, 3 have gone to court; one applied to the Board saying that it was in difficulties, but the Board did not accept their request.

Shri Tangamani: May I know whether hearing of witnesses has taken place, and whether it is not a fact that there has been delay in the starting of the hearing because the employers have asked for adjournment twice for replying the the questionnaire? By what time the hearing will start?

Shri Abid Ali: This is a tripartite Board in which workers' and employers' representatives have also been appointed with a senior officer of the judiciary as Chairman. It is for the workers' representatives to press for quicker or accelerated disposal of these matters. The hon. Member can have detailed information from his friend who sits near him who is on the Board. We do not worry the Board very much on these matters.

Shri S. M. Banerjee: Is it a fact that both the jute mills in Kanpur have filed a writ for not implementing the interim relief? If so, what steps have been taken by Government to persuade these employers to with-

draw their cases from the court and implement this recommendation?

Shri Abid Ali: It is true that the two mills have gone to court. We have written to the U.P. Government to persuade them to withdraw court proceedings and implement the recommendation.

Shri S. M. Banerjee: What steps have been taken by the U.P. Government in this regard? Has any communication been received from the U.P. Government about this?

Shri Abid Ali: Formerly there was some communication from them that they could not persuade the mills. We wrote to them again; thereafter we did not get any communication.

Manufacture of Machines

*1213. **Shri Kodiyan:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the concrete steps taken by Government to translate the slogan of 'Build Machines—Build India' into practice;

(b) whether detailed estimates have been made as to the targets for manufacturing machines during the Third Five Year Plan; and

(c) if so, the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a) A Development Council for Machine Building Industry has been established.

(b) Very detailed programmes for machine building activities have been approved and 1100 engineering firms are either operating or coming into establishment very soon to manufacture different categories of machines as given in the Brochure, copies of which are placed in the library of the House.

(c) Production programmes which are estimated to produce Rs. 500 crores or more worth of machinery per year by 1965 are under way.

Shri Kodiyan: From the statement I find that 1100 engineering firms are either operating or coming into establishment very soon. I want to know the number of firms already in operation.

Shri Manubhai Shah: About 900 of them.

Shri Kodiyan: The target for the production of industrial machinery has been fixed at Rs. 500 crores at the end of the Third Plan. That means almost a fourfold increase of production. I want to know what portion of increase is to come from the public sector projects.

Shri Manubhai Shah: All those figures have been divided and given in the brochure which we have circulated to the Members of Parliament. Both the private sector factories and the public sector factories have been indicated. As the quantities are so inter-dependent, it will be very difficult exactly to demarcate.

Shri Indrajit Gupta: May I know what part of this programme comprises the manufacturing of machines to make machines?

Shri Manubhai Shah: It is only machines. Of course, machines to make machines will be machine tools. That also is there for Rs. 45 crores.

Shri Damani: May I know if during the Third Plan the estimated increase of plant and machinery for the textile industry will be produced in the country, or if there will be a shortfall?

Shri Manubhai Shah: There is no likelihood of a shortfall, but the demands in the country are so much rising that we might be caught up with a sort of deficit even after reaching the target.

Shri Kodiyan: What will be the percentage of indigenous components

of the machinery that are going to be manufactured here?

Shri Manubhai Shah: Some of them not less than 80 per cent, some 95 per cent. Imported components will not be more than 20 to 25 per cent.

Shri Shivananjappa: May I know whether the iron and steel requirements of the machine building units have been met indigenously?

Shri Manubhai Shah: More than necessary, because as far as the machinery is concerned, the tonnage is not very large, the value is very large.

Shri Kodiyan: Apart from the development councils that have been set up, I understand that some committees had been appointed to concentrate on particular groups of industries. May I know what will happen to these committees? Whether these committees will continue to function?

Shri Manubhai Shah: They are standing committees. They will continue as a part of the Development Council.

Heavy Machine Tools Plant, Ranchi

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*1214. **Shri Subodh Hansda:**
Shri Nek Ram Negi:
Shri S. C. Samanta:
Shri Morarka:
Shri P. C. Borooah:
Shri Kalika Singh:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the construction of the Heavy Machine Tools Plant at Ranchi with the Czech aid has started;

(b) if so, the progress made up to-date; and

(c) when this will be completed?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

As a first step in the implementation of the Project, a Contract for the preparation of the Detailed Project Report for the first stage of the Heavy Machine Tools Plant was executed on 31st May, 1961 between the Heavy Engineering Corporation Limited, Ranchi and Messrs. Technoexport of Czechoslovakia. Collection of intial data for the preparation of the Detailed Project Report, in consultation with the Czech. experts, have been completed and handed over to Messrs Technoexport. Action is being taken in consultation with the State Government for acquisition of land for the site of the Plant. According to the present indications given by the consultants, the Plant is likely to go into trial production by early 1965 and regular production by the middle of 1965.

Shri Subodh Hansda: From the statement I find that the report has not yet been submitted. May I know when this project report will be submitted?

Shri Manubhai Shah: In another six months.

Shri Subodh Hansda: From the statement I find that action is being taken by the State Government for acquisition of land. May I know whether it is not a fact that 60 acres of land have already been acquired by the State Government? If so, may I know how many people have been uprooted from that place, and whether any compensation has been paid for this?

Shri Manubhai Shah: Very few have been uprooted. This is one of the gigantic projects in the country. I think uprooting is not a major problem at all. We are absorbing everybody who is displaced from that land.

Shri Vidya Charan Shukla: The statement says that they expect the project report from the Czech experts. May I know if the Hindustan Machine Tools was consulted as to whether they could give the project report themselves, and whether, it was only

on their refusal that Government took the help of the Czech experts?

Shri Manubhai Shah: This is quite a different machine. It is in the family weighing in the range of 800 to 1000 tons. The Heavy Machine Tools is not in that class at all. They have no technical knowhow on these heavy categories.

Shri Morarka: May I know when production in this factory would commence, and whether it is according to schedule or whether we are behind the schedule?

Shri Manubhai Shah: It is according to schedule. As a matter of fact, some additional plant is now included for the Third Plan, and production will commence in 1964.

Shri Morarka: May I know the different types of machines the manufacture of which we will first take up in this factory?

Shri Manubhai Shah: Gear hobbers, radial drills, lathes, milling machines and jig borers and other machines.

Shri Basumatari: The hon. Minister stated that a large number of people had been uprooted by the establishment of this facaory. May I know what steps have been taken by the Government to rehabilitate these uprooted people who are all tribals?

Shri Manubhai Shah: The people whose lands are being taken over for this project form a very small fragment, less than 5 per cent. The employment potential of the gigantic factory of machine building plant there is 10,000 to 15,000 people. We are seeing that every Adivasi or other person whose land is taken over is given first preference. Most of them, as a matter of fact, will be working in the plant itself.

Shri Tangamani: In the statement we find that the plant will go into trial production by early 1965 and regular production by the middle of 1966 but now the hon. Minister stated that he expects it to go into production by 1964. I would like to know whether it has been advanced.

Shri Manubhai Shah: What I have indicated is the optimum production. As a matter of fact, even in 1963 to some extent we may commence to make the different components. When the whole thing is built up it will be about 1965.

Shri Basumatari *rose*—

Mr. Speaker: The hon. Member does not ask about machine tools but about the land that is acquired. Wherever land is acquired, there will be some people who will be dislodged. I would have allowed him if the question is only about providing of alternative accmmodation, but now the main purpose of the question disappears. The hon. Member must go there, study as to what exactly has happened. That would enlighten us.

Shri Basumatari: We heard from the reply....

Mr. Speaker: No, no. All possible steps will be taken to see that the people who are dislodged are paid sufficient compensation, and, as far as possible, rehabilitated somewhere. That is the principle. If the hon. Member has anything to the contrary, he may table a motion, I will allow it.

Central Sericultural Institute, Berhampur

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*1216. **Shrimati Renu Chakravartty:**
Shri Aurobindo Ghosal:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the expansion programme of Central Sericultural Institute, Berhampur as set out in the Second Five Year Plan has fallen far short of target;

(b) whether the construction of the proposed building has not yet commenced;

(c) whether the apparatus and other equipments have not reached so far; and

(d) if so, the reasons for the delay?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A statement is laid on the Table of the House.

STATEMENT

The Expansion Scheme of the Central Sericultural Research Station, Berhampur, at an estimated cost of Rs. 22 lakhs, was sanctioned in May, 1960. Since then, the following steps have been taken to implement the scheme:

(a) Detailed final estimates for the construction works have been prepared by the Central P.W.D.

(b) Tenders have been called for and the C.P.W.D. have since posted one Assistant Engineer at Berhampur to supervise the construction works which are expected to commence shortly.

(c) Land at Kalimpong has been acquired.

(d) Orders have been placed with the Directorate General of Supplies and Disposals for the procurement of apparatus and equipment Purchase of these items has, however, been correlated with the progress of construction of buildings as otherwise apparatus|equipment will remain idle.

(e) Essential staff has been recruited.

The 'Expansion Scheme' was not scheduled to be completed in the Second Plan period.

Shrimati Renu Chakravartty: May I know why it is that the targets for the Second Five Year Plan for this Central Sericultural Research Station could not even be taken up till the last year of the Plan?

Shri Manubhai Shah: It has been taken up. So much progress has been made. It was not scheduled to be completed by the Second Plan. That is what I have said. It will be completed in the next 18 months.

Shrimati Renu Chakravartty: The point is not of completion at all. The statement given to us says that final estimates have been prepared, tenders have been called and land in Kalimpong has been acquired. That is all. What was the difficulty in taking up this work from the beginning of the Plan? When is this going to be completed?

Shri Manubhai Shah: All the projects to the taken up in the Five Year Plans are not necessarily to begin from the first year of the Plan. It was to be taken up in the fourth year of the Second Plan. It began like that. All the preliminaries are ready now. Land has been acquired, tenders have been called, and as I said, within 18 months the project will be completed.

Shri Sadhan Gupta: May I know whether the apparatus and other equipments will also be procured within these 18 months, or whether there will be any delay?

Shri Manubhai Shah: That is what is meant by part (d) of the statement. Orders have been placed with the Directorate-General of Supplies and Disposals and various other import licences have been issued.

Shri Tridib Kumar Chaudhuri: The statement says that land at Kalimpong has been acquired. As far as I know, lands in Berhampore have not been acquired so far. What is the actual position in regard to that?

Shri Manubhai Shah: It is a different question. It is being looked into.

Shri Tridib Kumar Chaudhuri: Have lands been acquired there?

Shri Manubhai Shah: No, they will be acquired.

Shrimati Renu Chakravartty: It is a small sub-station which is going to be erected at Kalimpong, and the actual Central Sericultural Research Station will be in Berhampore. I would like to know how much of this Rs. 22 lakhs which was actually sanctioned only in May, 1960 is for starting the work in Berhampore?

Shri Manubhai Shah: That is what I said. The actual physical expenditure can only be known when the construction activities are over. This covers both the portions of the research station.

Shri Ranga: May I draw your attention to a small inaccuracy? We were told earlier without any qualification that the land had been acquired. Later on when a supplementary question was put whether it was a fact that it had been acquired at the principal site, then the hon. Minister says, no, only at a subsidiary place they were able to acquire the land. Surely that is not the kind of answer that we should get.

Shri Manubhai Shah: If the hon. Member reads the answer he will see that the actual location of the land acquired has been given. She wanted to know further what was happening to the other part of the land. These lands belong to private owners, and a lot of negotiations have to take place before the owners part with their lands. Therefore, it takes a little time.

Shri Ranga: Then, why not say so in the beginning.

Shri Manubhai Shah: Land acquired in the proper place has been given in the answer.

Shri Shivananjappa: The work with regard to the Central Sericultural Research Institute in Chennapatna in the State of Mysore which was started several years back is still to be completed.

Shri Manubhai Shah: Now the idea is that it will be used by the community project people and we are thinking of building a separate institute near about Mysore and Bangalore. A site is being selected.

Shri Tridib Kumar Chaudhuri: I wanted to know whether the preliminaries in regard to the acquisition of land in Berhampore have been completed.

Shri Manubhai Shah: Yes, Sir.

Shrimati Renu Chakravartty: When is the work going to start in Berhampore for the Central Institute?

Shri Manubhai Shah: The question relates to a small station and all possible details have been given. We cannot be expected to know every stage of work at every minute and say what is happening. What I can assure is this. The total amount required for the research institute has been sanctioned; orders have been placed and within 18 months both the centre and the sub-centre will be ready.

Shrimati Renu Chakravartty: It is not a small centre; it is quite big.

Mr. Speaker: I hope that it will develop into a big centre.

U.K. Probe on Influx of Indian Immigrants

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*1217. **Shri Assar:**
Shri Ajit Singh Sarhadi:
Shri Bibhuti Mishra:
Shri Aurobindo Ghosal:
Shri Hem Barua:
Shri Raghunath Singh:
Dr. Ram Subhag Singh:
Maharajkumar Vijaya Ananda:
Shri P. G. Deb:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the number of Indian immigrants to the U.K. is largely increasing;

(b) if so, whether Government have made inquiry about their immigration;

(c) the number of passports issued to Indians for the U.K. from January, 1961 to June 1961; and

(d) the increase in the number of passports issued as compared to corresponding period last year?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Government do not maintain any statistics of Indian emigrants to the United Kingdom or to any other country. Therefore, we are not in a position to state categorically whether the number of Indian emigrants to the U.K. is increasing or not.

(b) As Government do not normally interfere with the free movement of Indian citizens, the question of making any inquiry does not arise.

(c) 12,277 passports and endorsements were granted for the U.K. during the period January to June, 1961.

(d) There was an increase of 2,110 passports and endorsements in 1961 as compared with the corresponding period of 1960.

Shri Vajpayee: Is it a fact that the Government of the United Kingdom is contemplating putting some restrictions on the entry of Indian emigrants?

Shri Sadath Ali Khan: Not that I am aware of.

Shri Ansar Harvani: The Parliamentary Secretary has referred to the number of passports and endorsements. Has the Government any idea of the number of people who have gone there on forged passports?

Shri Sadath Ali Khan: That is a separate question. I have often answered that question here. It is difficult to assess their number.

Shri Hem Barua: In view of the fact that Indian emigrants to U.K. with forged passports made headline news, may I know whether the Government proposes to ask the U.K. Government to screen the passport holders in that country to discover those who have travelled with forged passports?

Shri Sadath Ali Khan: We cannot ask the foreign Government to do something; we are taking it up ourselves on our side. However, I submit that this question does not arise.

Shri Heda: One of the aspects of the problem that the U.K. Government is probably facing is that there are emigrants from India without any passports while there are others with forged passports. Therefore, may I ask whether the U.K. Government approached the Government of India for any help and if so, in what way have they sought our help?

Shri Sadath Ali Khan: I am speaking subject to correction. But this is the mutual understanding that people with forged passports should not be allowed to travel to the United Kingdom.

Shri Vidya Charan Shukla: The Parliamentary Secretary has mentioned that there has been an increase of about 2,000 passports issued as compared to the corresponding period last year. Is this a normal feature of our passport issuance or is there anything extraordinary about it?

Shri Sadath Ali Khan: The position is that the families also go and join the people who have found jobs there; that increases the number of passports and endorsements.

Shri Hem Barua: On a point of order, Sir. Just now the hon. Parliamentary Secretary said that on the U.K. side they are not to see that there are no immigrants to that country with forged passports and that it is our responsibility and all that....

An Hon. Member: He did not say so..... (*Interruptions.*)

Mr. Speaker: That does not arise out of that question.

Shri Hem Barua: I shall state my point of order.

Mr. Speaker: I know the point of order; it does not relate to this question at all. The Parliamentary Secretary, not once but twice, said that this question relates only to the issue of passports and so far as the forged passports are concerned, that is a different matter. There is no point of order on this.

Shri Hem Barua: May I explain the point of order?

Mr. Speaker: I have understood his point of order. I have got telepathic connection with the hon. Member and whenever he rises, I understand him.

Shri Indrajit Gupta: May I know whether the Government have come to know that as a result of this influx of Indian immigrants to U.K. there are some attempts being made to create anti-Indian racial conflicts there as took place recently in Middlesburgh?

Shri Sadath Ali Khan: No, Sir.

Indians in Kuwait

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*1220. { **Shrimati Maimoona Sultan:** / **Shri Ajit Singh Sarhadi:** }

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that there is a large number of Indians in Kwait;

(b) if so, what steps are being taken for their protection; and

(c) who is accredited to Kuwait to look after Indian interests?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) There are about 6,000 Indians in Kuwait.

(b) and (c). The Indian Trade Commissioner in Kuwait looks after the Indian community with a view to protect their interests. The Indian Ambassador in Baghdad also visits the area from time to time.

Shrimati Maimoona Sultan: There was some trouble in Kuwait sometime back because of the assertion of Gen. Kassem that Kuwait formed part of Iraq, while Kuwait claimed that it was sovereign and independent. Since that time, may I know whether it is a fact that a large number of Indians have moved from there to India and if so what is the number of those people?

Shrimati Lakshmi Menon: Nobody has moved out of Kuwait. Conditions are stable there. We have had no complaints whatever from the Indian residents there.

Shri Braj Raj Singh: Is it a fact that since there was some trouble recently in Kuwait the difficulties of the Indian Nationals have increased and they have complained to the Commissioner there and he is not able to help them?

Shrimati Lakshmi Menon: It is untrue. Our Indian Ambassador in Iraq also succeeded in establishing friendly relations with the rural and our Trade Commissioner goes and meets the rural and we have been assured that there will be no interference as far as Indian citizens are concerned: they have no complaints; they are quite settled and happy there.

Shri Tridib Kumar Chaudhuri: Apart from our Trade Commissioner in Kuwait, have we any diplomatic representation to represent us in Kuwait since the declaration of independence of that land?

Shrimati Lakshmi Menon: No, Sir; even the Trade Commissioner was appointed only last May. There is no other diplomatic representative there.

Shrimati Maimoona Sultan: May I know the attitude of the Government of India to the sovereignty of Kuwait as against the claim of Iraq?

Shrimati Lakshmi Menon: The Government of India has always regarded Kuwait as an independent State.

Assam-Nagaland Boundary Dispute

*1221. **Shrimati Mafida Ahmed:** Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 1837 on the 2nd May, 1961 and state:

(a) whether it is a fact that Nagaland Interim Body has asked the Central Government to appoint a Commission to settle the boundary question between Assam and Nagaland; and

(b) if so, the action proposed to be taken in the matter?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika): (a) and (b). In its first meeting held from the 17th to the 25th May, 1961, the Interim Body of Nagaland passed a resolution recommending *inter alia* that the Government of India be moved to appoint a Commission to settle the boundary between Assam and Nagaland on a permanent footing.

This recommendation was discussed by the Governor with the Executive Councillors on the 7th July, 1961.

The Constitution provides for a procedure for the adjustment of boundaries between the States. The Government is of the view that this matter should be left to be considered by the future State of Nagaland. In regard to any local dispute about exact alignment at any particular point, it has been decided that the specific differences should be gone into and settled by joint consultations between officers from both sides.

Shrimati Mafida Ahmed: May I have an idea of the precise area which they want to include in the Nagaland?

Shri J. N. Hazarika: That has not been settled yet.

Shri Basumatari: May I know whether there is a claim for some forest areas in their proposal and if so what forest areas are being claimed by them in the proposal?

Shri J. N. Hazarika: All these questions will be settled by the Government of Assam and the Government of Nagaland according to the relevant articles of the Constitution.

Shri Hem Barua: In view of the fact that some people welcome Phizo's conception of Nagaland, with boundaries and all that, and since hostile activities are being perpetrated in the plains districts of Assam, may I know what counter-measures have the Government taken against the activities of the Naga hostiles there?

Mr. Speaker: It does not arise.

Shri Hem Barua: It does arise, Sir. I want a clarification. Unless the boundaries are demarcated, it is difficult to stop these hostile activities which are being perpetrated and continue to be perpetrated in the plains districts of Assam. The villagers come and go and are subject to these hostile activities. That is why I want to know what security measures are being taken there.

Mr. Speaker: This question need not be answered.

Shrimati Mafida Ahmed: May I know whether the Central Government have indicated to the NPC leaders about the re-transfer of the Dimapur area to North Cachar and Mikir Hills district as this area is predominantly inhabited by non-Naga population who are racialy and culturally distinct from the Nagas?

Shri J. N. Hazarika: The answer to this is covered by the original answer which I have read.

Pipes for Water Supply Schemes

*1222. **Shri Harish Chandra Mathur:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) what is the estimated requirement of G.I. pipes and special for water supply schemes in hand and those to be taken up during the Third Five Year Plan period; and

(b) what is the present production capacity and what arrangements have been made for meeting the full demand?

The Minister of Industry (Shri Manubhai Shah): (a) The requirements of steel pipes and tubes (including G.I. pipes for water supply) and specials are estimated as 9 lakh tons and 53,000 tons per annum respectively by the end of the Third Five Year Plan. The demand for water pipes has not been assessed separately but the bulk of the requirements are for water supply.

(b) The present production capacity of the steel pipes and specials is 2·15 lakhs tons and 22,000 tons per annum respectively. A further capacity of 7·74 lakh tons of steel pipes and tubes has already been licensed and additional capacity for the manufacture of specials is being licensed to cover up the gap between the present production capacity and the anticipated requirement by the end of the Third Plan period.

Shri Harish Chandra Mathur: During the course of the enquiry that was conducted, we found that water-supply projects have been stuck up for want of materials. At present, the forward delivery is for a period of a year and a half and the works have been stuck up. So, how is it that while these projects were sanctioned, the production of these pipes and specials was not simultaneously taken into consideration?

Shri Manubhai Shah: What the hon. Member says is correct, but the availability of foreign exchange and of the raw materials is very well-known to the country to need and further elaboration.

Shri Harish Chandra Mathur: What is the point in sanctioning the projects and not providing for the supply of the materials? May I know to what extent the position will improve and what will be the supply position during the next six months or so?

Shri Manubhai Shah: Actually, most of the projects have been held up for sanction, and it would not be quite true to say that those which have been sanctioned have not got the supplies. But the question is, what is the country's demand as targeted here and what is needed to meet all the requirements; in order to do that, we have licensed 22 new firms to manufacture steel pipes and tubings and specials. We hope that as the availability of skelp from the various national steel plants increases, the production of these tubings and pipes will go up.

Shri Harish Chandra Mathur: Is it not a fact that the special reorganisation division of the Finance Ministry made a special study of this subject and warned both the Planning Commission and the Ministry of Commerce and Industry that there was going to be a bottleneck, and if so, may I know what use was made of that study and what are the steps taken?

Shri Manubhai Shah: These studies have led to more vigorous activities. These are made for every commodity and every programme, if I may say so, under the third Five Year Plan. It only means the highlighting of the need for acceleration of all the production programmes.

Shri Heda: The hon. Minister just now said that licences are granted only to cover up the gap between the present production capacity and the requirements of the Third Plan period. Since the supply position of raw material is not adequate, and even otherwise, since it is very difficult to achieve a cent per cent. utilisation of the capacity, may I know what further steps are the Government taking to get over this bottleneck that would still be created?

Shri Manubhai Shah: What we are doing is, we do not want to over-license the capacity without the adequate raw material. Therefore, as I said in the original answer, we are not further licensing anything till the present capacity and the capacity which has been licensed are supplied

with all the raw material requirements from indigenous production.

Government of India Press at Calcutta

*1223. { **Shri Subodh Hansda:**
Shri S. C. Samanta:

Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Starred Question No. 1012 on the 21st March, 1961 and state:

(a) whether requisite power load has now been available and the printing machines and bindery equipment at Santragachi Government Press are in operation; ....

(b) how far the expansion programme of Government of India Press, Calcutta is going to be fulfilled in the near future; and

(c) what are the difficulties if these printing machines etc. are permanently installed at Santragachi Depot?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Power is now available at Santragachi. Barring 6 envelope-making machines and 2 printing machines, all the machines of the Government of India Press, Calcutta, and 5 Rotaries of the Government of India Forms Press, Calcutta, have been put in operation.

(b) The expansion programme of the Government of India Press, Calcutta, in so far as it relates to the setting up of a Stationery Bindery Wing, including a self-contained envelope-making unit has already progressed considerably and is expected to be completed very soon. The expansion on letter-press side, however, is linked with the shifting of the Press at Santragachi. Plans and estimates for the resiting of the Press at Santragachi are being finalised.

(c) There are no difficulties in retaining the machines of the Government of India Press, Calcutta, permanently at Santragachi as eventually the entire press would be located at that place. As regards Rotaries and their ancillary equipment of the Government of India Forms Press, Calcutta, the matter is proposed to be reviewed shortly.

Shrimati Ila Palchoudhuri: The hon. Minister just now said that there will be no difficulties. But have the difficulties of the people who have been working there, in having to shift from Calcutta to Santragachi, been taken into consideration, and will they be given an allowance if they have to shift?

Shri Anil K. Chanda: We have given notice of acquisition of 107 acres of land at Santragachi so that when our new press is ready there, workers will have residence near it.

Shri Subodh Hansda: The hon. Minister said that the Government has asked for 107 acres of land at Santragachi. May I know whether the present construction at Calcutta for additional accommodation for the rotary plants, etc., will stop?

Shri Anil K. Chanda: I could not follow.

Mr. Speaker: He wants to know whether the construction at Calcutta will stop if there is a proposal to construct houses at Santragachi.

Shri Anil K. Chanda: There are two presses at Calcutta. One is the Government of India Press which is located in a very old building which has outlived its life. It is proposed to shift that press, that ordinary press, if I may say so, to Santragachi. The other is the Government of India Forms Press which is located at Dharamtala Street. That will remain in the present site. We have added a new building there.

Mr. Speaker: The hon. Member wanted to know about the house accommodation for the workers.

Shri Anil K. Chanda: I said that the West Bengal Government have given notice for the acquisition of 107 acres of land for residential purposes of the workers. There has been some

litigation going on. But we are getting ready with the plans in the hope that the land will come to us, and we shall put it into use as soon as the the land is put in our possession.

Shri Aurobindo Ghosal: In view of the fact that this project is lying incomplete for the last several years, may I know whether any steps have been taken to expedite this matter, especially because some of the machinery and other articles are being damaged owing to this long delay?

Shri Anil K. Chanda: There has not been a very long delay. The last instalment of the machines was received only in 1960, and the machinery have already been put into use. I said so in my original answer. There were difficulties in getting bulk supply of power from the West Bengal Government, but from the 1st August, we have got the power, and I understand that from the 3rd August, these machines have been put into use.

Shrimati Ila Palchoudhuri: Is it not a fact that one of the buildings in Calcutta had been renovated and with the transfer of the Forms Press of the Government of India to Santragachi, will this building be used for the other press completely? Secondly, may I know what will be the cost of shifting this press to Santragachi?

Shri Anil K. Chanda: It is not the Forms Press which is being shifted. The Forms Press remains where it is. We have put up a new building there. It is only the Government of India Press which is located in Hastings Road, which is in a very old building over 100 years old, that is being removed to Santragachi.

Shrimati Ila Palchoudhuri: He has not answered my question.

Mr. Speaker: She wants to know the cost of shifting.

Shri Anil K. Chanda: The cost of shifting is the cost of transport of the machinery and the cost of the building.

Shrimati Ila Palchoudhuri: What is that cost?

Mr. Speaker: Does the hon. Member want that it ought not to be shifted?

Shrimati Ila Palchoudhuri: No, no.

Mr. Speaker: If the shifting is necessary, will the transport be free? What is the object of putting this question? Let us go to the next question.

Postal System in Bhutan

*1225. **Shrimati Ila Palchoudhuri:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the Government of Bhutan propose to set up an organised postal system and print their own stamps;

(b) whether the Government of India have been approached to give assistance in this connection;

(c) if so, the details of the request; and

(d) the nature of assistance, if any, given by the Government of India?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) The Government of India have no information.

(b) No.

(c) and (d). Do not arise.

Import of Cartridges from Poland

*1226. **Shri Tangamani:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that State Trading Corporation has secured licence for import of cartridges from Poland;

(b) if so, what is the method of distribution;

(c) whether it will be through members of the Bombay Arms Dealers Association or through Kirkee Ammunition Factory;

(d) whether there is any change in the method of distribution; and

(e) if so, the reasons therefor?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) It is proposed to distribute the cartridges through the Indian agents of the Polish supplier, namely M/s. Garg Armoury (P) Ltd., Delhi, to actual users such as Rifle Clubs. The distribution and prices will be controlled by the State Trading Corporation.

(c) No, Sir.

(d) No, Sir.

(e) Does not arise.

Shri Tangamani: May I know whether it is not a fact that there is already a proper method of distribution through the various members of this organisation in Bombay; and, if so, what is the special reason for giving it only to one licensee?

Shri Kanungo: The reason is, as I have already stated in my reply, that this particular firm was and still continues to be the sole agents of the Polish monopoly of arms supply and they insist that distribution should be done through this firm. The STC has taken this precaution that it should be distributed to rifle clubs and such other institutions at controlled prices.

Shri Tangamani: What is the value of shot-gun catridges which were imported as a result of licences which were granted to STC from Poland?

Shri Kanungo: Rs. 2 lakhs.

Shri M. R. Krishna: May I know whether the production of cartridges in our ammunition factories is not sufficient to meet the country's demand for sporting purposes?

Shri Kanungo: No, Sir, it is not adequate at all.

Shri C. D. Pande: It is often said that there is lot of spare capacity in the industrial instalments of the Defence Ministry. This matter is purely within the range of that Ministry. May I know why this ammunition which is used by civilians is not manufactured there—not only ammunition but also arms?

Shri Kanungo: These are ammunitions which have been imported in the past also. As far as the manufacturing capacity in India is concerned, I am not competent to answer.

Shri C. D. Pande: That is no justification. It cannot be said that because we imported it in the past we are continuing to import the same. In the past we imported so many things, but today we want to be self-sufficient and there should be sufficient installed capacity in India.

The Minister of Industry (Shri Manubhai Shah): We have drawn the attention of the Defence Ministry and also the Defence Minister. He has assured us that he is taking special steps to see, as the hon. Member rightly said, that the spare capacity in the defence establishments is used to produce the cartridges and ammunitions required for India.

Shri Tyagi: May I know what calibre of cartridges are they, and is it a fact that this very calibre of cartridges are already being manufactured by the ordnance factories, there are huge stocks lying with them and they are not being supplied to the market?

Shri Kanungo: That is not my information.

Shri Tyagi: What type of cartridges are they? What calibre of cartridges are they? Are they 1·2 or are they 2.2?

Shri Kanungo: My information is that these ammunitions are for sporting guns.

Shri M. R. Krishna: May I know whether the Government is permitting import of arms for sporting purposes when they are allowing the import of ammunitions?

Shri Kanungo: No, Sir; this is a part of a trade agreement with the Polish Government.

Shri Tyagi: Is it open for the private parties to start a factory for manufacture of such type of cartridges in India, or are they always to be imported from outside?

Shri Manubhai Shah: It is not to be allowed in the private sector; it is to be done by ordnance factories or the defence establishments. I can assure the House that we have drawn the attention of the Defence Ministry and they are proceeding in this matter. Any further question, Sir, if I may be permitted to say so, may be asked to the Defence Ministry.

Shri Sampath: May I know the reason why cartridges are not supplied to private licensees who are not members of rifle clubs?

Shri Kanungo: The idea is that it should be distributed through institutions so that the price control can be maintained.

Shri Tyagi: May I know for how many years this commitment has been made with the Polish Government?

Shri Kanungo: For one year.

Shri Vajpayee: Sir, Government have been claiming from time to time that they are taking measures to manufacture arms and ammunitions in India. May I know how this import is being justified?

Mr. Speaker: Order, order. Once again the same question is being put. The hon. Minister of Commerce was not aware of it, but the other hon. Minister, the Minister of Industry, replied that the Defence Ministry had been contacted and steps are being taken by them to produce this. Overnight everything cannot be produced.

Shri Braj Raj Singh: The question arises, Sir, are there two governments functioning? It was said that the Defence Ministry had been contacted. On such a vital matter they should have consulted each other and come before the House with the proper reply.

Shri Kanungo: This is not a vital question at all; these are only sporting ammunitions.

Mr. Speaker: Order, order. In that case, I can only ask every hon. Minister to answer every question. Then there is no specialisation at all. The work is distributed between different hon. Ministers. One hon. Minister knows about the subject allotted to him. If the hon. Member wants the other hon. Minister also to keep quiet saying that it is the concern of the Defence Ministry alone, I have no objection. But I try to get as much information as possible. It is not as if every day I can ask every hon. Minister to come here. Then there is no need for distribution of work every week. Hon. Members ought not to go on putting questions of this kind. What is the good of it. If a question is very important and if the hon. Minister concerned thinks that he may not be able to answer that question fully on the floor of the House, I would suggest that he may get the full information from his other colleague and be ready as far as possible. That is all that I can suggest. I will not quarrel with any hon. Minister who is not here out of turn, if it is not his turn to be present here.

Shri Braj Raj Singh: My point was this. They have entered into an agreement with the Polish Government. Why did they not consult the Defence Ministry before they came to the conclusion that they have to enter into an agreement with the Polish Government?

Shri Tyagi: May I, Sir, give this House some information? The manufacture of these ammunitions had already been taken up about four years ago in the ordnance factories. I know it for a fact.

Shri A. C. Guha: Is it not the policy of the Government, particularly in view of the shortage of foreign exchange, that before issuing any import licence the relevant Ministry is also consulted?

Shri Kanungo: Yes.

The Minister of Commerce and Industry (Shri K. C. Reddy): I would

like to assure the House that it is not the policy of the Government to import any commodity which we can produce indigenously. My hon. colleague has already stated that the Defence Ministry has already been consulted, has already been sounded in this regard and the Ministry of Defence is taking all possible steps to produce this commodity in the country itself. Till it is produced in the country by the Ministry of Defence in the ordnance factories, it is because of inescapable necessity that we are importing this quantity worth Rs. 2 lakhs. Moreover, this contract is only for a period of one year.

Shri Tangamani: Is it not a fact that the smaller shot-gun cartridges are at present being manufactured in the ammunition factory at Kirkee; if so, I would like to know what is the capacity of that factory and whether in the matter of distribution the distribution of the Kirkee factory also will be utilised?

Shri Manubhai Shah: Under the division of subjects, Sir, if I might draw the attention of the House, this subject is allotted to the Defence Ministry. We are only passing on some information known to us. I would request your intervention, Sir, to see that this matter should be asked of the Defence Ministry.

Shri M. R. Krishna: But you are allowing the import?

Shri Manubhai Shah: We are allowing the import at their instance.

Shri Tangamani: We were told, Sir, that the shot-gun cartridges are not being manufactured in the country. My information is that it is being manufactured in the ammunition factory at Kirkee. I would like to know what is its capacity etc.

Mr. Speaker: I am not going to allow this matter to be pursued any further. I would only request hon. Ministers to write to me when a particular matter referred to in a question is not within their competence so that I may send it on to the other hon. Minister concerned. There are usually three copies made of a question. As soon as a question is received, one copy in the usual course is kept in the Secretariat and one copy is immediately sent to the Minister concerned. It is open to the Minister to say then that it does not pertain to him. If he keeps quiet then and on the floor of the House when supplementaries are put he says that it does not relate to his Ministry, what is the object of our sending the question to him?

Shri Manubhai Shah: The question of manufacture is different from the question of import.

Shri K. C. Reddy: May I submit, Sir, that the question is quite specific? They are asking us for information on certain specific points. So long as we have information on those specific points we accept the question and answer it.

Mr. Speaker: Therefore, when the other supplementaries were put, the hon. Minister could have said that they do not arise out of this question.

Shri M. R. Krishna: The Defence Ministry is not concerned with the sale or supply of ammunition for sports rifles.

Shri Tyagi: Before sanctioning the import of this ammunition, did this Ministry consult the Defence Ministry to find out whether they are in a position to manufacture this article or not and, if so, what was their answer?

Shri K. C. Reddy: I submit that is not a question which has been given notice of. If such a question had been given notice of, then certainly we would have transferred it to the Defence Ministry.

Shri Raghunath Singh: Even then, this is an important supplementary.

Mr. Speaker: It does not arise out of this question. This relates only to the method of distribution and nothing more. For further information, the hon. Member could have tabled a question as to why it is imported and why it is not locally made.

Shri Tyagi: Part (a) of the question reads:

> "whether it is a fact that State Trading Corporation has secured licence for import of cartridges from Poland;"

Securing a licence is the job of this Ministry. Therefore, the question arises as to whether before sanctioning these licences they consulted the other Ministry.

Mr. Speaker: Order, order. The hon. Member catches one finger and says "this is a whole man". He must read in what context the question was put. Clause (a) deals with the general question. For example, clause (b), says "If so, what is the method of distribution;". All other questions relate to distribution. Now, what does he want?

Shri Tangamani: May I know whethe this import was necessitated because the supply....

Mr. Speaker: I am not going to allow this question, as this does not arise out of the main question, as I stated repeatedly. Shri Tyagi raised the same point. This relates only to the question of distribution and not to imports.

Prices of Staple Fibre Yarn

*1227. **Shri K. P. Sinha:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the reasons that led to the abnormal rise and fall in the prices of staple fibre yarn during the first half of August 1961; and

(b) whether the mills are not specially required to supply yarn of this character at the prescribed prices?

The Minister of Commerce (Shri Kanungo): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

There was some rise in the prices of staple fibre yarn during the end of July, 1961 and early in August. But they fell subsequently. The rise is attributable to speculative purchases of yarn and the fall is mainly because there was lack of inquiries for the types of yarn which had been purchased.

There is no statutory price control on the stape fibre yarn. The Indian Cotton Mills Federation had, however, fixed some fair prices for all the counts of yarn and all the textile mills have been asked to conform to these prices. A number of mills have already advised that they have given effect to this schedule of prices.

Shri K. P. Sinha: May I know whether the production of staple fibre yarn in the country is quite sufficient to meet the demand?

Shri Kanungo: No, the demand far outstrips the supply.

Shri K. P. Sinha: May I know the method of distribution?

Shri Kanungo: At present the price is controlled at the manufacturing end and there is supervision by the Indian Cotton Mills Federation over the distribution to the ultimate consumers.

Shri Hem Barua: In view of the fact that the statement says that the Indian Cotton Mills Federation has fixed certain fair price and has asked the mills to conform to this fair price, may I know whether Government now propose to fix any fair price by themselves?

Shri Kanungo: No. As a result of the voluntary arrangement, prices have come down from the level to which they shot up in May. If the present trend continues and the present level of prices continues, there is nothing unfair about it and we expect that in the near future the capacity will be increased.

Shri Hem Barua: May I know the number of mills that have conformed to the fair prices that have been fixed by the Indian Cotton Mills Federation? Are there any mills which have refused to conform to that?

Shri Kanungo: No, Sir. All the mills are members of the Federation.

Raid by Pakistanis

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*1228. { **Shri K. P. Sinha:** / **Shri P. C. Borooah:**

Will the **Prime Minister** be pleased to state:

(a) whether about thirty armed Pakistanis raided an Indian village, Shalurbagh, on Karimganj border on or about 19th August, 1961;

(b) if so, how many casualties, if any, were involved in the raid; and

(c) what action has been taken by the Government in the matter?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika): (a) Yes Sir. About twenty to twenty-five people committed dacoity in the Indian village at Sherulbagh near Karimganj on the Assam-East Pakistan border on the night of 18th August, 1961. Most of them were Pakistan nationals, but there were some Indians also.

(b) One Indian national was shot dead.

(c) A strong protest was lodged with the Government of East Pakistan by the Assam Government. They requested immediate investigation to catch the criminals. Efforts are also being made to apprehend the Indian abettors. Patrolling on the border has also been intensified in this sector.

Shri K. P. Sinha: Since these raids are happening off and on, may I know what steps are being taken by the Government to protect the life and property of the people on this side of the border?

Shri J. N. Hazarika: This is nothing new in these borders and, as I have stated, steps have been taken to prevent such incidents by intensive patrolling etc.

Shri Hem Barua: On an adjournment motion tabled by us on this matter, the Prime Minister informed us that information was not available till then. May I know when this information was available to the Government of Assam? How many days elapsed between the actual incident and the receipt of information by the Government of Assam?

Mr. Speaker: Does he want to know the time taken for receipt of this information by this Government from the Assam Government?

Shri Hem Barua: I want to know when the Assam Government received this information, because when the Government of Assam knows it, the Government of India knows it too.

Mr. Speaker: So, he wants to know when the Assam Government came to know of this?

Shri Hem Barua: Yes.

Mr. Speaker: Why not the hon. Member answer it?

Shri Hem Barua: On the adjournment motion it was stated that the information was not available to the Government of Assam till then.

Mr. Speaker: That is all right.

Shri Hem Barua: But, as a matter of fact, the news was out in the newspapers already. This shows how the Government machinery moves in the slow and sluggish way. Therefore, I want to know the time that has elapsed between the actual incident and the time when this information was available to the Government.

Shri J. N. Hazarika: Immediately after the incident took place, our border security forces contacted their counterparts to apprehend the dacoits, but, then, those officers were not available at that time.

Shri Tyagi: Was there any border police outpost near this village and, if so, did they come to the rescue of the villagers?

Shri J. N. Hazarika: This village is situated in the outpost itself in the

Kushyara river sector. As soon as the incident came to the notice of the border security force, they immediately contacted their counterparts on the other side, but that particular officer was not available. Therefore, immediate steps on the spot could not be taken. Now the hon. Member asks when the Assam Government knew all these things. At the time of the adjournment motion the required information was not available. It is just after that this news has been communicated to the Government by the security forces.

Mr. Speaker: Is he in a position to say when the information was received by the Assam Government itself?

Shri J. N. Hazarika: I do not know the exact date of receipt of this news by the Assam Government, but the Assam Government protested to the Pakistan Government on the 23rd of August. The incident took place on the 18th night.

Raja Mahendra Pratap: When the Congress for World Federation in Calcutta is working to arouse Bengali nationalism in East Bengal, is it not better for our Government to cooperate with this movement to arouse Bengali nationalism in East Bengal? Then such raids cannot happen.

Mr. Speaker: Next question.

Sino-Nepal Boundary Commission

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*1229. { **Shri Shree Narayan Das:** / **Shri D. C. Sharma:**

Will the **Prime Minister** be pleased to state:

(a) whether the Sino-Nepalese Boundary Commission has taken decision with regard to trijunctions boundary between India, Nepal and Tibet at both ends of Nepal; and

(b) if so, whether this decision is in accord with the report of the Indian border team on the two points?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) We have seen press reports that the Government of China and Nepal have come to some agreement regarding the Sino-Nepalese boundary which presumably includes the two terminal points in the east and the west.

(b) We will know precisely of these decisions only after the boundary treaty or agreement between the two countries has been signed and the text published. The Government of India have already made known the precise location of these trijunctions to both the Governments of Nepal and China.

Shri Shree Narayan Das: May I know whether the Government of Nepal assured the Government of India that before they take any decision on the matter they will consult the Government of India with regard to this?

Shrimati Lakshmi Menon: The Government of Nepal agreed to the suggestions that we have made; but they have to settle it with the Chinese Government.

Shri Shree Narayan Das: May I know whether the Government of India have given definite indications as to the places where these boundaries are to be fixed on the Chinese side?

Shrimati Lakshmi Menon: Yes, Sir; we have given definite indications.

Export of Coir Goods

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*1230. { **Shri Chuni Lal:** / **Shri Ram Krishan Gupta:**

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 681 on the 8th March, 1961 and state:

(a) whether Government have since considered the proposal for sending a delegation to the far eastern countries to explore the possibilities of marketing more coir goods; and

(b) if so, with what result?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The matter is still under consideration.

Shri Chuni Lal: May I know the time by which Government will take a final decision for sending the delegation?

Shri Manubhai Shah: Now-a-days there has been a good deal of restriction due to foreign exchange difficulties on these delegations. So, I am not in a position to give the exact date, but we are steadily impressing the need for sending such a delegation.

Fertilizer Plants

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*1231. **Shri Chuni Lal:**
Shri Ram Krishan Gupta:
Shrimati Ila Palchoudhuri:
Shri B. Das Gupta:
Shri Aurobindo Ghosal:
Shri P. L. Barupal:
Shri M. V. Krishna Rao:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 280 on 23rd February 1961 and state:

(a) whether Government have since approved the proposals to establish two fertilizer plants in Andhra Pradesh and Rajasthan in private sector; and

(b) if so, the details thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Licences have been issued to private parties for the establishment of fertilizer factories at Kothagudam and Vishakapatnam in Andhra Pradesh and Hanumangarh in Rajasthan.

(b) A statement is laid on the Table of the Sabha.

	Name of the party	Location	Capacity	End product
			(Tons of Nitrogen)	
1.	M/s Andhra Sugars Ltd. in association with M/s Seshasayee Brothers Travancore Ltd.	Kothagudam	80,000	Urea
2.	International Minerals & Chemicals Corporation and California Chemical Company, USA East India Distilleries & Sugar factories Ltd.—Parry Group	Vishakapatnam	80,000	(*i*) Ammonium phosphate (*ii*) Prilled urea.
3.	Shri B. L. Jalan	Hanumangarh	80,000	Ammonium Sulphate

Shri Ranga: What is the progress that has so far been made? The licence had been issued three months ago.

Shri Satish Chandra: It takes four years to build a fertiliser factory. The first report has been called for from these licencees within six months of the issue of the licence. As far as I know the parties are taking appropriate steps to enter into foreign collaboration and to acquire land. They are in touch with the State Governments. All suitable steps are being taken.

RE: SHORT NOTICE QUESTION NO. 3

Mr. Speaker: The short notice question that had been put down on the Order Paper today has been postponed to the 8th. The hon. Minister will reply to that on that date.

WRITTEN ANSWERS TO QUESTIONS

जापान तथा अन्य देशों को कच्चे लोहे का निर्यात

*१२१५. **श्री विभूति मिश्र :**
श्री प्र० चं० बरुआ :

क्या **वाणिज्य तथा उद्योग** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत सरकार

यह प्रयत्न करती रही है कि जापान तथा अन्य देश जो बढ़िया किस्म का कच्चा लोहा लेने में दिलचस्पी रखते हैं, वे मध्यम कोटि तथा घटिया किस्म का कच्चा लोहा भी लें ;

(ख) यदि हां, तो उसका क्या परिणाम निकला ; और

(ग) पिछले पांच वर्षों में प्रतिवर्ष घटिया किस्म का कच्चा लोहा अनुमानतः कितना निर्यात किया गया ?

वाणिज्य तथा उद्योग उपमंत्री (श्री सतीश चन्द्र) : (क) जी, हां ।

(ख) निर्यात लगातार बढ़ ता जा रहा है ।

(ग)

वर्ष	परिमाण
	(लाख टनों में)
१९५६	.५०
१९५७	.७३
१९५८	१.५३
१९५९	३.३१
१९६०	३.६७
१९६१ (अनुमानित)	४.००

औद्योगिक श्रमिकों की भारत यात्रा

***१२१८. श्री म० ला० द्विवेदी** : क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या औद्योगिक श्रमिकों के अखिल भारतीय दौरे के सम्बन्ध में स्थायी श्रम समिति ने कोई सिफारिश की है ; और

(ख) यदि हां, तो इस सिफारिश को अमल में लाने के लिये सरकार को कितना खर्च करना पड़ेगा ?

श्रम उपमंत्री (श्री आबिद अली) : (क) जी हां ।

(ख) अन्दाज है कि इसके लिये फी मजदूर करीब ३० रुपया सरकार को देना पड़ेगा ।

Price of Salt sold to Japan

***1219. Shri Parulekar:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) what is the prevailing average price of uncrushed salt per ton which is sold to Japan on the West Coast;

(b) what is the prevailing average price of uncrushed salt per ton which is sold to Bengal region from the West Coast; and

(c) what are the reasons for charging a higher price for salt sold to Bengal region than that charged from Japanese firms?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). These internal prices vary from period to period. Therefore it is not possible to give any average price.

There is no control on the price of salt. Prices within the country including the Bengal region are negotiated between the sellers and the buyers, having regard to the demand and supply position prevailing from time to time.

Salt exported outside India is exempt from the levy of Salt Cess which works out to about Rs. 3·00 per ton and hence that is not included in the export prices. Japan is our main export market, where Indian salt faces severe competition from other exporting countries. In order to maintain our exports to this market and to other markets and to earn foreign exchange, salt has to be sold to Japan at competitive international rates. Thus there can be no comparison between internal and export prices.

Industrial Estate at Nangal

*1224. **Shri Daljit Singh:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether there is any proposal for the establishment of an industrial estate in Nangal Dam of Punjab where so many Government buildings will fall vacant after the completion of Bhakra Dam; and

(b) if so, the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The Government have approved a proposal for the establishment of an industrial estate with 50 units at Nangal Dam during 1964-65 under the Third Five Year Plan. The possibility of utilizing Government buildings which will fall vacant after the completion of Bhakra Dam for this industrial estate will also be considered.

Fertilizer Plant at Bombay

*1232. **Shri Pangarkar:**
Shri Ram Krishan Gupta:
Shri Chuni Lal:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 1176 on the 29th March, 1961 and state:

(a) whether the agreement for setting up fertilizer plant at Bombay has since been signed; and

(b) if so, the details thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) An agreement between the Fertilizer Corporation of India and M|s. Burmah Shell for the supply of refinery gas to the Trombay Fertiliser Project was signed on 22.4.1961. The draft agreement for the supply of Petroleum Naphtha by M|s. Standard Vacuum Oil is to be discussed at the ensuing meeting of the Board of Directors of the Corporation.

(b) A copy of the agreement between M|s. Burmah Shell and the Fertilizer Corporation is available in the Parliament Library.

Second Machine Tool Factory Bangalore

*1233. **Shri Subodh Hansda:**
Shri Nek Ram Negi:
Shri S. C. Samanta:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the construction of the Second Machine Tool Factory in Bangalore has been completed;

(b) if so, when this was completed; and

(c) whether it has started its production?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). The construction of the Second Machine Tool Factory in Bangalore was completed in May 1961. Production has commenced since June, 1961.

Demand for Indian Glass

*1234. **Shri P. C. Borooah:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether a delegation of India's Glass Industry toured a number of countries in Middle East, East Africa and Pakistan in April-May this year, in order to assess the demands of these countries for Indian glass;

(b) if so, what were the assessments of the delegation in this regard; and

(c) what action has since been taken by Government to explore these markets fully?

The Minister of Commerce (Shri Kanungo): (a) A Delegation of Glass manufacturers sponsored by the Chemicals and Allied Products Export Promotion Council visited Pakistan, Middle East and East African countries in February-March, 1961.

(b) The detailed Report of the Delegation is awaited. The Delega-

tion's reaction communicated to the Government indicate that the areas visited have generally considerable potential for sale of Indian Glass and Glassware.

(c) It would be for the exporters to make use of the opportunities. Government will be prepared to give reasonable facilities.

Contributions to Political Parties by Public Corporations

*1235. **Shri Assar:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that Government have issued directive to the various State Governments and public corporations not to make any contribution to any political party;

(b) whether it has come to the notice of the Union Government that the Government companies of Andhra Pradesh have donated Rs. 1,30,500 to a political party which has been mentioned in the Audit Report of the 1959-60 of the Andhra Pradesh Government; and

(c) if so, action taken in this regard?

The Minister of Commerce (Shri Kanungo): (a) In January 1961, the Commerce and Industry Minister wrote to the Chief Ministers of States requesting them to issue suitable instructions to all Government companies under their administrative control forbidding them from contributing to the funds of political parties or for any political purpose. At the same time, the Department of Company Law Administration also brought this policy decision to the notice of all Ministries in the Central Government and also of all Government companies under their administrative control.

(b) Yes Sir.

(c) The attention of the State Government is being drawn in this case.

Arrears of Rent

*1236. **Shri Tangamani:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether the arrears of rent outstanding in Directorate of Estates, New Delhi, have been collected in full;

(b) if not, the reasons for the same;

(c) what is the extent of arrears and how much has been collected till the end of July, 1961; and

(d) what special steps are taken for clearing all the arrears?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (d). A statement is placed on the Table of the House. [*See* Appendix IV, annexure No. 36].

Suicide by a Displaced Person

*1237. **Shrimati Ila Palchoudhuri:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether Government of India's attention has been drawn to a press report that one Shri Harendra Kumar Chakravartty, a displaced person from East Pakistan, known to be honest and meek, committed suicide in a bid to save himself from the pangs of poverty in Deoghar (Bihar) on the night of August, 17, 1961, leaving behind, his wife and five children to their fate; and

(b) if so, the steps taken or proposed to be taken for giving adequate financial assistance to the bereaved family with a view to saving the family from being further ruined?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). Information is being collected from the Government of Bihar and will be placed on the Table of the Sabha in due course.

Employees State Insurance Scheme

*1238. **Shri Ram Krishan Gupta:**
Shri Chuni Lal:
Shri Bibhuti Mishra:

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 265 on the 23rd February, 1961 and state:

(a) whether Government have since taken final decision in regard to enhancement of Statutory rate under Employees' State Insurance Scheme; and

(b) if so, the nature of the decision taken?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) No.

(b) Does not arise.

Ratification of International Labour Organisation Convention

*1239. **Shri Chuni Lal:**
Shri Ram Krishan Gupta:

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Unstarred Question No. 436 on the 23rd February, 1961 and state the further progress since made in ratification of International Labour Organisation Convention regarding plantation workers?

The Deputy Minister of Labour (Shri Abid Ali): As the position obtains at present, it is not possible to ratify the Convention.

Tata Engineering and Locomotive Company

*1240. **Shri P. C. Borooah:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government have sanctioned the raising of the prices of trucks manufactured by the Tata Engineering and Locomotive Company;

(b) if so, to what extent; and

(c) what factors necessitated the increase in the prices?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). Not only M/s. Tata Engineering and Locomotive Company but all automobile manufacturers were allowed in May, 1961 to increase the ex-factory net dealer and retail selling prices of their vehicles to the extent indicated below: —

(i) By an amount equal to the amount actually paid by the manufacturers as customs/excise duties on components/raw materials as a direct consequence of the provisions of the Finance Act, 1961; and

(ii) In the case of import of components and raw materials from West Germany, to the extent the prices of the materials are actually increased as a result of the recent revaluation of the Deutsche Mark.

The revision of prices of motor vehicles on this account do not involve any increase in the manufacturers' or dealers' margin of profit.

Central Park in Connaught Circus, New Delhi

3344. **Shri Ram Krishan Gupta:** Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Unstarred Question No. 4010 on the 27th April, 1961 and state at what stage is the scheme to shorten the central park in connaught circus with a view to provide more parking space in the Capital?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): The matter is still under consideration.

Fertilizer Plant at Trombay

3345. **Shri Ram Krishan Gupta:**
Shri Assar:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No.

1834 on the 2nd May, 1961 and state the further progress so far made in setting up the Fertilizer Plant at Trombay?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): A statement is placed on the Table of the House. [*See* Appendix IV, annexure No. 37]

Industrial Sodium Sulphate Plant

3346. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 1835 on the 2nd May, 1961 and state:

(a) whether Government have since considered the revised quotations received from the West German firm for setting up an Industrial Sodium Sulphate producing Plant; and

(b) if so, the result thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The revised quotations received from the West German firm are still under consideration of the Hindustan Salt Company Ltd.

Engineering Export Council

3347. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 1856 on the 2nd May, 1961 and state:

(a) whether Government have since received report of the delegation of the Engineering Export Promotion Council which toured West Asian and European countries;

(b) if so, main recommendations therein; and

(c) the action taken thereon?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) The main recommendations/observations made in the Report of the Delegation are:—

1. There is great need for publicity and propaganda for India's engineering goods.

2. Indian manufactures/exporters should establish personal contacts with the importers abroad.

3. Service Organisations should be established in respect of products which need servicing. Training facilities to representatives of overseas buyers should also be provided.

4. Export Houses should be established for export of new products to new markets and for providing financial guarantees and market research facilities to the small manufacturers.

5. The services of the Merchant Houses having experience of marketing goods to West Africa and Latin America should be utilised to promote export of Indian engineering goods to those countries.

6. Special effort for export of castings to Yugoslavia, U.K. and Iran should be made.

7. Possibilities of collaboration in trade with countries like Yugoslavia and U.A.R. should be explored.

8. There are bright prospects for many heavy engineering goods in West Asian and African countries.

9. The Engineering Export Promotion Council should set up an Office in Cairo.

(c) The recommendations are primarily meant to be implemented by exporters/manufacturers themselves. Government would be prepared to give reasonable facilities wherever required.

Export Promotion

3348. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 1857 on the 2nd May, 1961 and state:

(a) whether Government have considered the proposal to make art silk yarn available under advance licensing for export promotion; and

(b) if so, the result thereof?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) Advance licences for import of art silk yarn to the extent of Rs. 1·25 crores will be issued in favour of State Trading Corporation of India Ltd. The imported yarn will be advanced to the manufacturer-exporters of artsilk fabrics and adjusted against entitlements on the export of such fabrics.

Small Scale Industries

3349. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 4255 on the 2nd May, 1961 and state the progress made so far in setting up a Committee to re-organise the various Government departments relating to small scale industries?

The Minister of Industry (Shri Manubhai Shah): The Committee has been set up and has been requested to submit its report within six months.

Shree Sayajee Jubilee Cotton and Jute Mills at Sidhpur

3350. { Shri Ram Krishan Gupta: Shri M. B. Thakore:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 4285 on the 2nd May, 1961 and state:

(a) whether Shree Sayajee Jubilee Cotton and Jute Mills at Sidhpur has been re-started;

(b) if not, the reasons thereof; and

(c) when it will be re-started?

The Minister of Commerce (Shri Kanungo): (a) to (c). It is understood that negotiations for change in ownership of the Mills are in progress and that if they are successful and necessary formalities are completed, the Mills will re-open.

Industrial Cooperatives

3351. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 4286 on the 2nd May, 1961 and state the nature and details of decisions taken on the recommendations of the seminar on Industrial Co-operatives?

The Minister of Industry (Shri Manubhai Shah): A statement giving the required information is laid on the Table of the House. [*See* Appendix IV, annexure No. 38].

Labour Problems in Public Sector Undertakings

3352. Shri Ram Krishan Gupta: Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Unstarred Question No. 4294 on the 2nd May, 1961 and state:

(a) whether Government have received replies from State Governments on a reference regarding labour problems in public sector industrial undertakings; and

(b) if so, action taken thereon?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) Replies from all State Governments have not yet been received.

(b) The matter is under consideration in the light of the replies so far received from the State Governments.

Emporium for Cottage Industries at Nagpur

3353. Shri Pangarkar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether there is any proposal to set up an emporium for cottage industries at Nagpur; and

(b) if so, when it will be set up?

The Minister of Industry (Shri Manubhai Shah): (a) There are two

emporia in Nagpur, one for Handloom Cloth and another for Handicrafts. There is no proposal for setting up another emporium.

(b) Does not arise.

Industrial Estate

3354. **Shri Pangarkar:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the total number of Industrial Estates established during the Second Five Year Plan period; and

(b) whether the target fixed for the period has been completed?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). 120 Industrial Estates were approved for the 2nd Plan period. Out of these 75 estates have been completed and the remaining 45 estates are in different stages of construction.

Premier Automobiles, Bombay

3355. **Shri Pangarkar:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether production has increased during 1960 in Premier Automobiles, Bombay;

(b) if so, to what extent; and

(c) how it compares with 1959 figures?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) and (c). The production figures for the years 1959 and 1960 compare as follows:—

	1959 Nos.	1960 Nos.
Cars	4459	6516
Commercial Vehicles	5407	6347

Output of Cosmetics

3356. **Shri Pangarkar:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the total output of cosmetics during the year 1960; and

(b) whether production was purely indigenous or with any foreign collaboration?

The Minister of Industry (Shri Manubhai Shah): (a) The total output of Cosmetics during 1960 was of the order of Rs. 2;5 crores in the organised sector.

(b) The production was partly without and partly with foreign collaboration.

Silk Industry in Mysore

3357. **Shri Pangarkar:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any specific steps were taken by Government to develop silk industry in Mysore State during the year 1960-61; and

(b) if so, the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 39].

Licences for Industries in Andhra Pradesh

3358. **Shri M. V. Krishna Rao:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the number of licences issued for starting new industries in Andhra Pradesh during the Second Five Year Plan period;

(b) whether all these licences have been used; and

(c) if not, the number of unused licences?

The Minister of Industry (Shri Manubhai Shah): (a) 58 licences were issued for the establishment of new undertakings in Andhra Pradesh during the Second Five Year Plan period.

(b) and (c). Out of these licences 5 licences have been revoked. In all other cases, either the undertakings have already been established or are in the process of being established.

Slum Clearance in Andhra Pradesh

3359. Shri M. V. Krishna Rao: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the amount proposed to be given to Andhra Pradesh under the slum clearance scheme during the Third Five Year Plan period; and

(b) the details of the scheme proposed?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) A sum of Rs. 89 lakhs is likely to be allocated to Andhra Pradesh during the Third Five Year Plan period for the implementation of the Slum Clearance Scheme, of which Rs. 67 lakhs will be Central assistance and the balance amount will be States own contribution.

(b) The Andhra Pradesh Government have not yet communicated the details of their slum clearance projects to be undertaken in the Third Five Year Plan. Under the revised procedure, the State Government are competent to sanction the projects, upto their Third Plan allocation under the Scheme, without obtaining the prior approval of the Central Government.

Leather Industry in Himachal Pradesh

3360. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state:

(a) what specific steps have been taken to develop the leather industry in Himachal Pradesh; and

(b) what changes have been made in allocating funds to the Scheduled Castes and other organisations so that they may take to the leather industry?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Information is being collected and will be laid on the Table of the House in due course.

Industrial Exhibition at New Delhi

3361. Shri Madhusudan Rao: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the names of the countries who will be participating in the forthcoming Industrial Exhibition starting from November 14, 1961;

(b) the total anticipated expenditure in the execution of the work of the exhibition; and

(c) the total anticipated income by way of tickets selling etc.?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(1) Austria
(2) Bulgaria
(3) Czechoslovakia
(4) France
(5) German Democratic Republic
(6) Hungary
(7) Italy
(8) Japan
(9) North Vietnam
(10) Poland
(11) Rumania
(12) Switzerland (Ciba)
(13) U.A.R.
(14) U.K.
(15) U.S.A.
(16) U.S.S.R.
(17) West Germany
(18) Yugoslavia.

(b) and (c). The exhibition is being organized by the Federation of Indian Chambers of Commerce and Industry. That body will be responsible for the income and expenditure in this connection.

Houses for Colliery Workers

3362. Shri S. M. Banerjee: Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 516 on the 16th August, 1961 and state:

(a) where the 25,000 houses and 417 barracks for colliery workers are going to be built;

(b) what is the break-up; and

(c) whether work has been started and at what stage it is?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) and (b). The number of houses/barracks proposed to be constructed under the Low-cost Housing scheme in different coalfields will be distributed as follows:—

Sl. No.	Name of coal field	No. of houses	No. of barracks
1	Jharia	6,104	51
2	Mugma	850	6
3	Bokaro	226	3
4	Karanpura/Ramgarh	1,125	1
5	Raniganj	9,388	40
6	Pench Valley	600	2
7	Korea	640	—
8	Vindhya Pradesh	561	3
9	Chanda	250	2
10	Assam	1,390	1
11	Andhra Pradesh	1,224	—
12	Sambalpur	202	1
13	Talchar	20	1
	Total	22,580	111
	Allotment under consideration	2,420	306
	Grand Total	25,000	417

(c) Construction is likely to start by October, 1961.

Slum Clearance in Uttar Pradesh

3363. Shri D. C. Sharma: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) what schemes of slum clearance are in progress in Uttar Pradesh;

(b) the quantum of Central assistance to each of the above schemes so far; and

(c) the progress achieved so far?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (c). The required information is furnished in the statement laid on the Table of the House. [*See* Appendix IV, annexure No. 40].

Nangal Fertilizer Factory

3364. Shri Daljit Singh: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any compensation has been paid to those whose lands had been requisitioned for the Fertilizer Factory at Nangal;

(b) if so, the total amount that was assessed to be paid to the affected persons;

(c) total amount that has been paid actually so far;

(d) what steps are being taken to pay the arrears immediately; and

(e) whether any portion out of the land acquired is proposed to be left for the affected villagers and how much?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes.

(b) Rs. 60,47,935.39 nP.

(c) and (d). The entire compensation amount has been deposited with the Collector of the District by the Fertilizer Corporation.

(e) About 1000 acres of land is being surrendered to the State Government.

Assistant Mica Labour Welfare Officer

3365 **Shri P. G. Deb:**
Shri Narasimhan:
Pandit K. C. Sharma:
Shri M. B. Thakore:
Shri Sugandhi:
Shri Ram Garib:
Shri B. C. Kamble:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether there is any proposal to shift the headquarters of Assistant Mica Labour Welfare Officer from Gudur to the village of Kaiichedu, Nellore District, Andhra Pradesh;

(b) whether this headquarters was allowed to be at Gudur some years

back when a similar proposal was made; and

(c) the reasons for the new proposal?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). Yes.

(c) Efficiency and economy.

Permanent Posts of Labour Inspectors (Central)

3366. Shri J. B. S. Bist: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that the orders of the Government of India regarding conversion of 80 per cent temporary posts into permanent ones have not yet been implemented in respect of Labour Inspector (Central) and Conciliation Officers (Central) in the Office of the Chief Labour Commissioner (Central);

(b) if so, the reasons therefor and the time by which they will be implemented; and

(c) the number of such temporary posts as on the 30th June, 1961, that are to be converted into permanent ones in accordance with the instructions of the Government of India?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). Proposals regarding Conciliation Officers' posts have been sent to the Financial authorities for concurrence. As for Labour Inspectors, necessary information has been called for from subordinate organisations and orders are likely to be issued soon.

(c) 28—Conciliation Officer—6

Labour Inspector 22.

Indian Expedition to Annapurna

3367. Shri Shree Narayan Das: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the base camp of the Indian Team, which has been successful in climbing Annapurana Peak, was looted.

(b) if so, the circumstances in which this happened;

(c) whether it is a fact that porters in the area refused to work for the team; and

(d) if so, the reasons therefor?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The base camp was looted by the Manang villagers on the 21st April, 1961, while all members of the expedition were in the higher camps. These villagers have been in the habit of harassing mountaineering expeditions with the object of extorting money.

(c) and (d). The villagers refused to provide porters unless Rs. 2,000 was paid by the expedition. However, on the intervention of our Ambassador, the Government of Nepal deputed some troops to the area together with sherpas who ferried loads to the next stage where porters were available.

Squatters in Delhi

3368. Shri D. C. Sharma: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the number of squatters in Delhi/New Delhi occupying Government/private land separately;

(b) whether a scheme to rehabilitate them has been chalked out;

(c) if so, the details thereof;

(d) the amount to be spent on the same;

(e) the time by which all the squatters are proposed to be rehabilitated; and

(f) the steps taken or proposed to be taken to check further squatting?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) 43,857 families are reported to be squatting on Govern-

ment and public lands in Delhi/New Delhi according to a census taken by the New Delhi Administration in June/July, 1960 under the Jhuggis and Jhopris Clearance Scheme. No information is available regarding the number of families squatting on private land.

(b) The Jhuggis and Jhopris Clearance Scheme provides for the rehabilitation of eligible squatter families i.e. those enumerated in the census referred to in (a) above.

(c) The Scheme contemplates the provision of an open developed plot measuring about 80 square yards with a W.C., bathing platform and a raised plinth at the average ceiling cost of Rs. 1,750, to each eligible squatter-family. One half of the cost per plot will be recovered from the beneficiaries, the other half being treated as subsidy, except in regard to those families with an income of Rs. 250 and above, from whom full cost will be recovered. The Scheme is being implemented through the Municipal Corporation of Delhi.

(d) The cost of the Scheme for rehabilitation of about 25,000 families was originally estimated at Rs. 3.83 crores. This estimate is likely to be revised as a result of the increase in (i) the cost of acquisition and development of land and of building materials and (ii) the number of the squatter families.

(e) The Municipal Corporation of Delhi have already started implementing the Scheme which is scheduled to be completed by the 31st March, 1962. This time schedule is, however, likely to be revised.

(f) Further squatting will be strongly discouraged and every fresh squatter will be ejected summarily with police help, if required, without any claim for alternative accommodation. The proposed development of satellite towns around Delhi, under the Master Plan, should also help in reducing the influx of population into Delhi and in stopping unauthorised occupation of Government and public lands in Delhi.

Orient Paper Mills Ltd., Calcutta

3369. **Shri Ram Krishan Gupta:**
Shri Chuni Lal:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 675 on the 8th March, 1961 and state:

(a) whether the terms regarding the loan by the U.S. Export Import Bank to the Orient Paper Mills Ltd., Calcutta have since been settled; and

(b) if so, what are they?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Yes, Sir. The Mills have been permitted to import paper-*cum*-pulp plant and machinery from U.S.A. worth $13.5 million against U.S. Export-Import Bank Loan. The loan is repayable in not less than twenty equated bi-annual instalments beginning from May 15, 1964. The interest on the loan will be payable half-yearly at a rate not exceeding 5¾ per cent per annum.

The Mills will get their remaining requirements of plant and machinery from indigenous sources.

Levy on Indians in Ceylon

3370. **Shri Ram Krishan Gupta:**
Shri Chuni Lal:
Shri Arjun Singh Bhadauria:
Shri Supakar:
Shri M. B. Thakore:
Shri Mohan Swarup:
Shri Tangamani:
Shri Kunhan:

Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 1083 on the 24th March, 1961 and state:

(a) whether Government have received replies to the suggestions made to Government of Ceylon re-

garding exemption from the payment of the increased fee to certain categories of Indian citizens; and

(b) if so, the nature of the reply received?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes.

(b) The Government of Ceylon have replied to the effect that they will enact legislation to exempt persons registered as citizens of India after 10th October, 1954 from payment of the Temporary Residence Tax. The exemption of certain other classes of persons is also under the consideration of the Ceylon Government.

Colour Film on Queen's Visit

3371. **Shri Ram Krishan Gupta:**
Shri Chuni Lal:

Will the Minister of **Information and Broadcasting** be pleased to refer to the reply given to Unstarred Question No. 2238 on the 24th March, 1961 and state the progress made in the completion of colour film on Queen's visit?

The Minister of Information and Broadcasting (Dr. Keskar): The film after completion was released for public exhibition in India on 24-3-1961.

Janata Hotel, Delhi

3372. **Shri Ram Krishan Gupta:**
Shri Chuni Lal:
Shri Kodiyan:
Shri D. C. Sharma:

Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Unstarred Question No. 444 on the 23rd February, 1961 and state the further progress since made in construction of Janata Hotel at Delhi?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): The proposal to construct a Janata Hotel in Delhi has since been deferred because of the small financial allocation available for the construction of accommodation in the General Pool during the Third Five Year Plan.

Geophone

3373. **Shri Ram Krishan Gupta:**
Shri Chuni Lal:

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 1193 on the 29th March, 1961 and state:

(a) whether Government have received fuller details from Soviet authorities regarding a device called 'Geophone' capable of predicting at least six hours in advance a blowout of coal and gas which is a great help to miners; and

(b) if so, the details thereof?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) and (b). Yes. The details received from the U.S.S.R. Embassy are in Russian and are being got translated.

Exports to West Germany

3374. **Pandit D. N. Tiwari:**
Shri Damani:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the revaluation of Deutsch Marks by West Germany has in any way affected the Indian trade and its export to West Germany specially of tea, coffee and textiles; and

(b) whether the export of these articles has shown a downward trend only since revaluation?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) India's trade, whether in the aggregate or in the commodities mentioned, has not been significantly

affected by the revaluation of the Deutsche Mark.

(b) Export of tea, coffee and cotton textiles have risen to some extent and those of jute bags have shown a decrease, but these variations are the result of several factors.

Cable Factory

3375. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the nature and details of steps taken so far or proposed to be taken for setting up of a cable factory in public sector; and

(b) when it is likely to be set up?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). From a review undertaken recently to assess the country's requirements of telecommunication cables during the period of Third and Fourth Five Year Plans, there is an indication that Government would have to set up another factory to meet the increased demand; this is still under examination and it will take some time before a decision is reached.

Clashes Between Goans and Portuguese Troops

3376. Shri Indrajit Gupta: Will the **Prime Minister** be pleased to state:

(a) whether some armed clashes have occurred recently between Portuguese troops and Goan nationalists near the Morlem Sanquellim and Querrim areas; and

(b) if so, the casualties inflicted on both sides?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Clashes are reported to have occurred in these areas on 22/23rd March, 25th April and 6th May, 1961.

(b) The total casualties in all three incidents are believed to have been two dead and about five injured on the Portuguese side and one dead among the Goan nationalists.

Indian Troops in Congo

3377. Shri Indrajit Gupta: Will the **Prime Minister** be pleased to state:

(a) whether Indian troops stationed at the Kamina base in Congo have been subjected to hostile sanctions by the Tshombe administration;

(b) if so, the nature of the sanctions and reasons given for their imposition; and

(c) Government of India's reactions in the matter?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). According to press reports, Mr. Tshombe took exception to the arrival of Indian troops in Katanga. The reason for this was obviously that a strong U.N. Force would frustrate some of Mr. Tshombe's plans. He made a declaration that no one was to supply Indian troops with provisions etc. and also threatened to cut off the railway line running between Elizabethville and Kamina. No effective measures were taken to translate such threats into action, and the troops suffered no shortage of supplies or provisions.

(c) Indian troops in the Congo come under the control of the U.N.O.C.; it is understood that the U.N.O.C. took necessary measures to prevent or nullify Mr. Tshombe's actions.

Steel Wire Rope Factory at Ernakulam

3378. Shri Kunhan: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 1813 on the 16th March, 1961 and state the reason for rejecting the licence to establish a steel wire rope factory in Ernakulam?

The Minister of Industry (Shri Manubhai Shah): M|s. Seshasayee Brothers (Travancore) Private Ltd., Alwaye, Kerala State, had submitted an application on the 14th November, 1960, for a licence under the Industries (Development and Regulation) Act, 1951, to set up a new undertaking

in Ernakulam district for the manufacture of Steel wire ropes. The application was considered by the Licensing Committee on the 2nd February, 1961 along with other cases. On the recommendation of the Committee, the applicants were asked to send detailed proposals showing the terms on which they proposed to set up the manufacture of wire ropes and to finance the scheme. In the meeting held on the 12th April, 1961, the Licensing Committee recommended the grant of a licence to the firm subject to the condition that (i) the import of capital equipment and terms of foreign collaboration are settled to the satisfaction of Government; (ii) The capacity licensed is 3000 tons of wire ropes per annum which is the minimum economic capacity. A licence has since been granted to the firm on the 3rd June, 1961.

Trimming Saw

3379. **Shrimati Ila Palchoudhuri:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the attention of the Government of India has been drawn to a news item appearing in the *Indian Express* dated May 8, 1961, about a new gantry-type panel trimming saw having been developed by a U.K. firm of machine tool manufacturers capable of cutting up three-inch deep stacks of wood sheets measuring as much as 9 feet by 4 feet in size;

(b) whether any enquiries have been made about this with a view to importing it for use in India; and

(c) if so, with what result?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). Government have seen the news item referred to in the Question, about the production of a new type of Saw by a manufacturer in the U.K. They, however, have no information at all, on this matter.

Ambar Charkha in Bihar

3380. **Shri Bibhuti Mishra:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the amount given year-wise for propagation of Ambar Charkha in Bihar State during the Second Five Year Plan period so far;

(b) the production made so far; and

(c) the Centres opened so far?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement containing the required information is laid on the Table of the House. [*See* Appendix IV annexure No. 41].

Agricultural Labourers

3381. **Shri Bibhuti Mishra:** Will the Minister of **Labour and Employment** be pleased to state:

(a) the extent to which the agricultural labourers have been benefited by the Scheme of Community Development;

(b) whether the benefits have come up to the mark;

(c) if not, the reasons therefor; and

(d) what steps Government propose to take in this regard?

The Deputy Minister of Labour (Shri Abid Ali): (a) No precise information is available. The Second Agricultural Labour Enquiry was not designed specifically to assess the extent to which agricultural labour had benefited by the Scheme of Community Development. However, nearly one-third of the villages selected for the Enquiry were located in areas covered by Community Development Schemes. Certain limited comparisons have, therefore, been made in the Enquiry Report of the conditions of workers in these areas with those of workers residing in areas not covered by Community Development. It must, however, be emphasized that the Sampling design did not provide for valid comparisons being made.

(b) to (d). Do not arise.

Naga Hostiles

3382. Shrimati Mafida Ahmed: Will the **Prime Minister** be pleased to state:

(a) the number of encounters that took place since 1st May, 1961 to 31st July, 1961 between the armed forces and the hostile Nagas;

(b) the number of casualties sustained by the security forces and the rebels separately; and

(c) the arms seized from the hostiles?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

This information is based on available statistics and is in respect of Nagaland, Manipur and the Plains Sector of Assam.

(*a*) Number of encounters		51
(*b*) Casualties	Security personnel killed	5
	Hostiles killed	48
(*c*) Arms seized:		
Rifles (assorted)		39
Tommy Gun		1
Sten Guns		2
Breach and muzzle loading Guns (assorted)		13
Pistols and reolvvers (assorted)		4

Stocks of Explosives with ex-Rulers

3383. Shri Aurobindo Ghosal: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether the stocks of explosives with ex-rulers and jagirdars of Rajasthan have been taken over by Government; and

(b) if so, what is the quantity found and the quantity fit for use?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). The Central Government is not concerned with taking over stocks of explosives lying with the ex-rulers and Jagirdars of Rajasthan. Some stocks came in the possession of the Government of Rajasthan and some are still in the possession of the ex-rulers and Jagirdars. The Chief Inspector of Explosives has been asked to inspect all stocks of such explosives intimated to him from time to time by the District Authorities of Rajasthan to ensure that proper safety precautions are observed in the storage of these explosives and unserviceable stocks are destroyed. Two Statements, one showing the list of places in Rajasthan so far reported to the Department of Explosives where old gunpowder is still lying for disposal and the other showing the List of places where old gunpowder has been destroyed by the officers of the Department of Explosives, are laid on the Table of the House. [*See* Appendix IV, annexures Nos. 42 and 43 respectively].

Export of Equamarine Stone

3384. { Shri Damani: / Shri P. C. Borooah:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it has been decided to export raw equamarine stone and emeralds cut without an export permit in post parcel of 100 lbs; and

(b) if so, what is the estimated amount of foreign exchange that would be earned from these exports?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Export of imported raw acquamarine stones and emeralds after being cut and processed is allowed without permit by post parcel upto 500 tolas at a time.

(b) No reliable estimates are available.

Tariff Commission

3385 Shri Damani: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the enquiries that are pending with the Tariff Commission together with the dates on which such enquiries were entrusted to them; and

(b) whether any date has been indicated to the Commission to submit its report on the enquiries?

The Minister of Industry (Shri Manubhai Shah): (a) A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 44].

Help to Ghana for Volta Dam

3386. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state:

(a) whether Ghana has asked for the services of an Indian official to help Ghana in planning and building the Volta dam; and

(b) whether the services have since been loaned?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The Government of Ghana asked for the services of an Indian official in connection with the execution of the Volta River Project in Ghana.

(b) Yes Sir. In the last few years, the services of Shri S. Ratnam, Officer on Special Duty, Ministry of Commerce and Industry, Government of India, have been loaned to the Government of Ghana for brief periods.

Export of Textiles

3387. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the position regarding the export of textiles to U.K. during 1960-61; and

(b) what steps are being taken to improve the position?

The Minister of Commerce (Shri Kanungo): (a) Exports of cotton textiles from India to U.K. during 1960-61 aggregated to about 184.41 million yards as compared to 186·60 million yards during the previous year thus reflecting a steady trend.

(b) Exports of cotton piecegoods to U.K. is governed by a voluntary agreement arrived at between the Indian Cotton Textile Industry and the U.K. Cotton Board according to which U.K. is to import 175 million Sq. yards per year of Indian cotton textiles for retention in that country. This agreement is valid upto the end of 1962. Certain schemes of incentives which are being given for promotion of export of cotton textiles are applicable in respect of exports to U.K. also.

Retrenchment of Gazetted Officers of the Rehabilitation Ministry

3388. { Shri Nek Ram Negi: / Shri Bahadur Singh:

Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) the number of Gazetted officers of the Rehabilitation Ministry that have been absorbed so far in other Ministries of the Central Government; and

(b) the number of those retrenched upto July, 1961?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) 55; (includes also officers absorbed in other Departments while they were still in service);

(b) 82 (from 1st January, 1960 onwards).

Bombay Central Training Institute for Craftsmen and Instructors

3389. { Shri Bahadur Singh: / Shri Nek Ram Negi:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether any agreement has been signed between Government of India and the U.S.A. under which American assistance to the Bombay Central Training Institute for craftsmen and instructors will be increased;

(b) the nature of this assistance to be made available; and

(c) the increase in the number of craftsmen and instructors that this increased assistance will make available to the expanding industry during the Third Five Year Plan?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b) and (c). Do not arise.

Export of Isotopes

3390. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state:

(a) whether Government have been exporting isotopes to foreign countries;

(b) if so, to what countries; and

(c) the foreign exchange earned during 1960-61 on this item?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes.

(b) Thailand (Bangkok).

(c) Equivalent of Rs. 950/-.

Monazite Deposits

3391. { Shri D. C. Sharma: Shri P. G. Deb:

Will the **Prime Minister** be pleased to state:

(a) whether any survey has been conducted by Government to assess the quantity of monazite deposits available in the country; and

(b) if so, the result thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Surveys are being carried out for monazite in different places along the coastal tracts of India and in some inland places deposits in Bihar and West Bengal.

(b) As at present estimated, the known reserves of monazite in India exceed 5 million tons.

जनता होटल, दिल्ली के लिये भूमि

३३९२. **श्री खुशवक्त राय** : क्या **निर्माण, आवास और संभरण** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि प्रस्तावित नवीन जनता होटल के निर्माण के लिये आवश्यक भूमि का चयन कर लिया गया है ;

(ख) क्या यह भूमि खाली है या उस पर मकान बने हुए हैं ; और

(ग) यदि उस पर मकान बने हुए हैं तो उन्हें तोड़ने से जो व्यक्ति बेघर हो जायेंगे उन्हें बसाने का क्या प्रबन्ध किया गया है ?

निर्माण, आवास और संभरण उपमंत्री (श्री अनिल कु० चन्दा) : (क) से (ग). प्रस्तावित जनता होटल के निर्माण के लिये स्थान चुन लिया गया था और उस जगह बने हुए क्वार्टरों को उनमें रहने वाले लोगों को दूसरे निवास स्थान दे कर खाली करा लिया गया था । उनमें से अधिकांश क्वार्टर, जो कि टूटी फूटी हालत में थे, गिराये जा चुके हैं ।

अब जनता होटल के निर्माण के प्रस्ताव को आस्थगित (डैफर्ड) कर दिया गया है, क्योंकि तीसरी पंचवर्षीय आयोजना (प्लेन) में सामान्य समूह में स्थान के निर्माण के लिये उपलब्ध वित्तीय विनिधान (एलोकेशन) थोड़ा ही है ।

Import of Tobacco

3393. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether import of tobacco is proposed to be totally eliminated by the end of the Third Five Year Plan; and

(b) if so, what are the details of the scheme envisaged?

The Minister of Commerce (Shri Kanungo): (a) No, Sir.

(b) Does not arise.

Handloom Industry

3394. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Working Group on Handloom Industry has recommended to the Central Government the continuance of encouragement to the co-operatives in the handloom industry;

(b) if so, what sort of aid|assistance is envisaged for the encouragement of scheme under reference; and

(c) to what extent such aid was given during each of the years 1958, 1959 and 1960?

The Minister of Commerce (Shri Kanungo): (a) to (c). A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 45].

Skilled Labourers Registered at Delhi

3395. Shri P. C. Borooah: Will the Minister of **Labour and Employment** be pleased to state:

(a) the number of skilled labourers registered in the Directorate of Employment and Training, Delhi Administration during 1959, 1960 and 1961 upto the end of June;

(b) how many of them were employed during each of the above periods, and how many of them remained unemployed at the end of each period;

(c) how many vacancies for such labourers arose during each of the periods and how many remained unfilled at the end of each period; and

(d) whether these figures reveal shortage of trained manpower of the right type; and if so, what action is being taken to tackle the situation?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (c).

Year	Number of skilled & semiskilled persons registered during the year	Number of applicants placed in employment during the year	Number of applicants on the Live Register at the end of the year	Number of vancancies notified during the year	Number of vacancies outstanding at the end of the year
1	2	3	4	5	6
1959 . . .	9.165	916	5,927	2,697	569
1960 . . .	7,708	948	5,165	4,106	440
1961 (Jan.-June) .	3,514	458	4,836	3,478	674

(d) To some extent, there is a shortage of trained manpower. Additional training facilities are being provided to augment the supply.

Productivity Team on Industrial Management

3396. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 4693 on the 5th May, 1961 and state:

(a) whether the Productivity Team on Industrial Management on its return from the tour has recommended the setting up of a National Institute of Management; and

(b) if so, what action has been taken by Government on this recommendation?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The question of establishing All India Institutes of Management has already been examined in the Ministry of Scientific Research and Cultural Affairs independent of the recommendation of this Team. A decision has been taken to establish Institutes at Calcutta and Ahmedabad. It has also been decided that these institutes shall be autonomous bodies and registered as Society under the Societies Registration Act of 1860 and the affairs and finances of the institutes shall be administered by the respective Boards of Governors.

Diesel "Deodarant"

3397. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether a British firm in India specialising in oil additives and engine testing equipment has developed a Diesel "deodarant" which neutralises the obnoxious diesel smell of the fumes and produces instead an aroma of ice-cream soda; and

(b) if so, whether any steps have been taken to popularise and encourage its use in diesel engines on the road, rail and water?

The Minister of Industry (Shri Manubhai Shah): (a) According to a news report from the British Information Service, as published in Assam Oil Company's Journal BATORI, DIGBOI, a diesel deodarant which neutralises Diesel fumes and produces instead, "an aroma of ice-cream soda" has been developed by a British firm specializing in oil additives and engine testing equipment. The firm believes that the new development can put an end to the present obnoxious smell of Diesel fumes from exhausts of road, rail and water ways using the oils.

(b) The matter is under examination.

Trade with Burma

3398. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether India has had an adverse trade balance with Burma during the past few years;

(b) if so, whether it has been on the increase and what are the figures of edverse balance during each of the past three years; and

(c) what are the reasons for its increase during the preceding year?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). India's adverse balance of trade with Burma was Rs. 38 crores in 1958, Rs. 3 crores in 1959 and Rs. 12 crores during 1960.

(c) The increase in India's adverse balance of trade in 1960 as compared with 1959 was mainly due to larger imports of rice and timber from Burma. In addition, our exports, particularly of coal and coke, groundnut oil, cotton textiles and jute manufacturs declined.

ब्रिटेन से श्रमिकों के बारे में जानकारी

३३९९. श्री म० ला० द्विवेदी : क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि महत्वपूर्ण श्रम संबंधी मामलों पर ब्रिटेन से जानकारी प्राप्त करने के लिये सरकार ने कोई विशेष प्रबन्ध किया है ; और

(ख) यदि हां, तो पिछली छमाही में सरकार को किस प्रकार की जानकारी प्राप्त हुई ?

श्रम उपमंत्री (श्री आबिद अली) : (क) और (ख). लंदन में जो भारतीय हाई कमिश्नर हैं वे जरूरत पड़ने पर श्रम संबंधी मामलों पर सूचना प्राप्त कर सकते हैं। पिछले छः महीनों में ऐसी सूचना प्राप्त करने की जरूरत नहीं पड़ी ।

कल्याण प्रशिक्षण संस्था, भूली

३४००. श्री म० ला० द्विवेदी : क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) कल्याण कार्यकर्त्ता प्रशिक्षण संस्था, भूली द्वारा चलाये गये तीसरे पाठ्यक्रम में कितने प्रशिक्षणार्थी पास हुए; और

(ख) प्रशिक्षित कार्यकर्त्ताओं के प्रशिक्षण का किस प्रकार उपयोग किया गया है ?

श्रम उपमंत्री (श्री आबिद अली) : (क) ३१ ।

(ख) पाठ्य-क्रम का उद्देश्य बहुउद्देशीय कल्याण कार्यकर्ताओं को ट्रेनिंग देना था ताकि वे कैंटीन और वाचनालय चलाने, स्वास्थ्य और शिक्षा की आरंभिक देखभाल और ऐसे ही दूसरे मजदूर कल्याण कार्य करने योग्य बन जायें। प्रशिक्षित कार्यकर्त्ताओं की ट्रेनिंग का किस प्रकार उपयोग किया गया इस बारे में सूचना प्राप्त नहीं ।

अमरीका से रुई का आयात

३४०१. श्री म० ला० द्विवेदी : क्या **वाणिज्य तथा उद्योग** मंत्री यह बताने की कृपा करेंगे कि :

(क) अमरीका सरकार ने भारत सरकार की रुई की एक लाख बीस हजार गांठें भेजने की प्रार्थना पर क्या निर्णय किया है ;

(ख) क्या भारत को रुई मिलने की संभावना है ;

(ग) भारत में १९५१ से १९५९ तक प्रति वर्ष संयुक्त राज्य अमरीका तथा अन्य देशों से प्रतिवर्ष कितनी रुई आयात की गयी और भारत में उत्पादित रुई का वह कितने प्रतिशत है ;

(घ) किस किस्म की रुई का आयात किया जाता है और उसके क्या कारण हैं ; और

(ङ) क्या इस प्रकार की रुई में भारत आत्म-निर्भर बन जायेगा ?

वाणिज्य मंत्री (श्री कानूनगो) : (क) और (ख). रुई का और अधिक आयात करने के बारे में अमरीकी अधिकारियों से बात-चीत चल रही है ।

(ग) अपेक्षित जानकारी बताने वाला एक विवरण सभा पटल पर रख दिया गया गया। **[देखिये परिशिष्ट ४, अनुबन्ध संख्या ४६]** ।

(घ) सामान्यतः अमरीकी तथा दूसरे देशों से १ १/१६ इंच या उस से अधिक लम्बे रेशे वाली रुई मंगाई जाती है । इस का कारण यह है कि इस किस्म की रुई का देश में इतना उत्पादन नहीं होता है कि उस से भारतीय सूती वस्त्र उद्योग की सारी आवश्यकता पूरी हो सके । १९५९-६० और १९६०-६१ की फसल में १ इंच और उससे कम किन्तु १३/१६ इंच से अधिक लम्बे रेशे वाली रुई का भी आयात करने की अनुमति दी गई थी । इस का कारण यह था कि १९५९-६० की फसल में केवल ३७.५ लाख गांठों का उत्पादन हुआ था जिस के फलस्वरूप भारतीय रुई की कमी पड़ गई थी ।

(ङ) १ १/३२ इंच से अधिक किन्तु १ १/८ इंच से कम लम्बे रेशे की रूई का उत्पादन देश में बढ़ रहा है । आशा है कि देश जल्दी ही इस तरह की रूई के बारे में स्वावलम्बी हो जायगा । १ १/८ इंच से अधिक लम्ब रेशे वाली रुई का आयात विदेशों से अभी जारी रखना पड़ेगा ।

केन्द्रीय श्रमिक शिक्षा बोर्ड

३४०२. श्री म० ला० द्विवेदी : क्या **श्रम और रोजगार** मंत्री यह बताने की

कृपा करेंगे कि :

(क) इस समय केन्द्रीय श्रमिक शिक्षा बोर्ड के अन्तर्गत कितने प्रादेशिक केन्द्र कार्य कर रहे हैं ;

(ख) इन केन्द्रों में से प्रत्येक में अध्यापक-प्रशासकों की अलग-अलग संख्या और उन के काम क्या हैं ;

(ग) इन केन्द्रों में से प्रत्येक में अब तक प्रशिक्षित कर्मचारी-अध्यापकों की संख्या कितनी है ; और

(घ) अध्यापक-प्रशासकों तथा कर्मचारी अध्यापकों के वेतन-क्रम क्या हैं ?

श्रम उपमंत्री (श्री आबिद अली) : (क) यदि माननीय सदस्य का मतलब केन्द्रीय सरकार द्वारा स्थापित श्रमिक शिक्षा बोर्ड के प्रादेशिक श्रमिक शिक्षा केन्द्रों से है तो उत्तर १२ है ।

(ख) और (ग) :

क्रमांक	केन्द्र का नाम	अध्यापक-प्रशासकों की संख्या	जुलाई १९६१ तक प्रशिक्षित हुए कर्मचारी-अध्यापकों की संख्या
१	अलवाई	६	१०६
२	बंगलौर	५	१२०
३	बम्बई	६	१३२
४	कलकत्ता .	६	१२४
५	दिल्ली	५	१३५
६	धनबाद	५	५४
७	हैदराबाद .	६	१२६
८	इन्दौर	४	२१५
९	कानपुर	७	९१
१०	नागपुर	६	८७
११	मद्रास	५	४७
१२	यमुना नगर	३	१३

अध्यापक-प्रशासकों के कार्य

अध्यापक-प्रशासक प्रादेशिक केन्द्रों में-कर्मचारी-अध्यापकों को पढ़ाते हैं और उन्हें कारखानों में कक्षायें चलाने में मदद भी देते हैं । इस के अलावा व कारखानों में समय समय पर जाते हैं और कर्मचारी-अध्यापकों को सलाह-मशविरा देते हैं ।

वेतन-क्रम

रुपये : ३२५-१५-४७५ - योग्यता रोक - २०-५७५, इस के साथ केन्द्रीय सरकार की दरों से भत्ते भी दिये जाते हैं ।

कर्मचारी-अध्यापक

कर्मचारी-अध्यापक कारखानों के कर्मचारी हैं । निश्चित काम के समय के बाद कर्मचारियों को पढ़ाने के लिये उन्हें २५ रुपये माहवार पारिश्रमिक दिया जाता है ।

नागा विद्रोहियों द्वारा आक्रमण किये गये पदाधिकारियों को सहायता

३४०३. श्री म० ला० द्विवेदी : क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने पिछली छमाही में उन सरकारी पदाधिकारियों तथा उन के परिवारों को कोई आर्थिक सहायता दी है जिन पर नागा विद्रोहियों द्वारा आक्रमण किया गया, और जिस के फलस्वरूप उन के नुकसान हुआ ; और

(ख) यदि हां, तो कितनी रकम दी गयी ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) और (ख). नागा उपद्रवकारियों ने जिन सैंतीस सरकारी कर्मचारियों को मार डाला, उन के परिवारों को सहायता प्रदान करने के लिये सरकार ने, पिछले छः महीनों में, एकमुश्त रकमों के अनुदानों के रूप में, कुल २७,६०० रुपये की मंजूरी दी है ।

इस के अतिरिक्त, असम राइफ़ल्स के इंसपैक्टर जनरल ने सेना के प्राइवेट फ़ंड से २,२०० रुपये की अग्रिम राशि (ऐडवांस) उन डो जूनियर कमीशन प्राप्त अफ़सरों के परिवारों को दी, जिन्हें पिछले अप्रैल महीने में नागा उपद्रवकारियों ने मार डाला था। यह अग्रिम राशि उस सेवादान (ग्रैच्युइटी) से काट ली जायगी, जो उन परिवारों को मिलना है।

हिन्दी में प्रकाशित पत्रिकायें

३४०४. **श्री म० ला० द्विवेदी** : क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि

(क) गत दो वर्षों में मंत्रालय के दिल्ली मुख्यालय द्वारा प्रकाशित की गई पत्रिकाओं की सूची क्या है; और

(ख) इनमें से कितनी पत्रिकाओं का हिन्दी संस्करण भी निकाला गया है ?

श्रम उपमंत्री (श्री आबिद अली) : (क) और (ख). एक विवरण, जिसमें मांगी गई सूचना दी गई है, सभा पटल पर रख दिया गया। (**देखिये परिशिष्ट ४, अनुबंध संख्या ४७**)

केन्द्रीय मूल्यांकन और कार्यान्विति प्रभाग

३४०५. **श्री म० ला० द्विवेदी** : क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) जनवरी, १९६१ से अब तक अनुशासन संहिता के उल्लंघन के बारे में केन्द्रीय मूल्यांकन और कार्यान्विति प्रभाग को कितनी शिकायतें प्राप्त हुई हैं;

(ख) अब तक इनमें से कितनी शिकायतों का निबटारा किया गया; और

(ग) कितनी शिकायतों की जांच की की जा रही है ?

श्रम उपमंत्री (श्री आबिद अली) : (क) जनवरी १९६१ से जुलाई १९६१ तक ४२२ जिन पर कार्रवाई करने की जरूरत थी।

(ख) २४१।

(ग) १०४ की जांच केन्द्रीय मूल्यांकन एवं कार्यान्विति प्रभाग कर रहा है, और ७७ की जांच राज्य सरकारों/प्रशासनों द्वारा की जा रही है।

Productivity Team on Coal Mining Industry

3406. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Indian productivity team on coal mining industry visited a number of Western countries;

(b) if so, whether the team has submitted a report for the development of the coal mining industry in the country on the basis of the ways and means prevalent in those countries;

(c) what are their recommendations and

(d) what is Government's decision thereon?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) and (c). The Team has submitted its Report to the National Productivity Council. The Report containing these recommendations has been laid on the Table of the House on the 23rd August 1961.

(d) These recommendations and the Report of the Team has been widely circulated to the concerned organisations, institutions, etc. by the National Productivity Council for implementation, wherever necessary and feasible.

Indian Experts for Trinidad

3407. Shri P. C. Borooah: Will the Minister of **Planning** be pleased to state:

(a) whether the Prime Minister of Trinidad during his recent visit to

New Delhi asked for a team of Indian experts to be sent to his country to help evaluate their development programmes; and

(b) if so, what is Government's decision in this regard?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). As desired by the Prime Minister of Trinidad, a team of three officials from the Planning Commission led by Shri B. P. Patel, Adviser, Programme Administration, has been deputed to Trinidad and Tobago for a period of two weeks.

विद्रोही नागाओं द्वारा अपहरण

३४०८. **श्री अर्जुन सिंह भदौरिया :**
महाराजकुमार विजय आनंद :

क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नागालैंड के किसी भाग से ३० जून, १९६१ को विद्रोही नागा दो व्यक्तियों को उठा कर ले गये; और

(ख) यदि हां, तो यह घटना कहां हुई थी; और

(ग) इस घटना का ब्यौरा क्या है ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) से (ग). विद्रोही ३० जून, १९६१ को केवल एक व्यक्ति—युगोवोटो गवर्नमेंट एम० ई० स्कूल के सहायक मुख्य अध्यापक, श्री आई० टोशी आओ—को उठा ले गये थे ।

यह घटना तब हुई जब श्री आई० टोशी आओ चार अन्य व्यक्तियों के साथ पुगोवोटो लौट रहे थे । हमारे पास जो सूचना सुलभ है, उसके अनुसार, यह दल कोहिमा के लगभग २० मील उत्तर-पूर्व में नाटसिमी के निकट विद्रोहियों के एक गिरोह द्वारा रोक लिया गया था और वे श्री आओ को उठा ले गये इस दल के चार अन्य सदस्यों को पुगोबोटो जाने दिया गया था । बाद में विद्रोहियों ने २१ जूलाई, १९६१ को श्री आओ को छोड़ दिया ।

Ban on Indian Films in Ceylon

3409. **Shri Radha Raman:**
Shri Shree Narayan Das:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Ceylon Government have put any ban on Indian films to be shown in their cinema halls or on their import;

(b) what has led that Government to take this step; and

(c) the extent of loss to Indian film industry on account of such a decision?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) No, Sir.

(b) and (c). Do not arise.

Jumping Level System

3410. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that with a view to expedite disposal of work in the Central Secretariat a new scheme known as jumping level has been introduced;

(b) if so, how many Ministries have introduced it and what are its results;

(c) whether the scheme is showing really good results; and

(d) if so, whether it is considered desirable to popularise the scheme further and introduce it in all the departments?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (d). There is obviously some misunderstanding about 'Level Jumping'. It is not a new scheme. When work is organised in a hierarchical system, the tendency is

for papers to pass through all the levels before a final decision is reached. The popular expression 'Level Jumping' implies that such authorities in the hierarchy as do not contribute to decision-making should be eliminated. This is a matter of study in each organisation. No general orders can be issued on this subject. It is also one of the points which is kept in view when work studies are conducted by the Special Reorganisation Unit and the O & M Division.

खादी उद्योग

३४११. **श्री जांगड़े** : क्या **वाणिज्य तथा उद्योग** मंत्री यह बताने की कृपा करेंगे कि :

(क) प्रमाणित खादी उद्योग को नकली माल से बचाने के लिये गत पांच वर्षों में क्या कदम उठाये गये हैं; और

(ख) खादी के नाम और अभिधान की रक्षा करने के लिये जो एक्ट १९५१-५२ में पास किया गया था उसे किस रीति से लागू किया गया ?

उद्योग मंत्री (श्री मनुभाई शाह) : (क) नकली खादी बेचने को निरुत्साहित करने के प्रश्न पर पिछले कुछ वर्षों से बड़ी सावधानी से विचार किया जा रहा है । एक समय ऐसा कानून बनाना भी वांछनीय समझा गया था कि खादी बेचने वाले व्यापारियों को लाइसेंस दिये जायें और केवल यही व्यापारी खादी बेच सकें । पर यह एक छोटी समस्या होने के कारण यह विचार छोड़ दिया गया था ।

(ख) माननीय सदस्य ने जिस अधिनियम का उल्लेख किया है वह १९५० में पास हुआ था । उसमें केवल यह कहा गया है कि जब "खद्दर" और "खादी" शब्दों का प्रयोग किसी चुनी हुई वस्तु के लिये किया जाये तो उसे भारतीय व्यापार चिह्न अधिनियम के अर्थ के अन्तर्गत व्यापारिक विवरण की वस्तु समझा जायेगा । इससे यह भी प्रकट होगा कि यह वस्तु ऐसा कपड़ा है जो भारत में हाथ से कते सूत से हथकरघे पर तैयार किया गया है ।

Recruitment of Khallasis

3412. Shri Tangamani: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that certain Khallasis have been recruited in the President's Estates Division of the C.P.W.D. through the Employment Exchange;

(b) if so, whether it is a fact that the Employment Exchange were asked to send only those persons who had passed matriculation examinations;

(c) if so, whether this is the minimum qualification required for the post of Khallasis; and

(d) if not, what was the reason for prescribing this minimum qualification to the Employment Exchange for the post of Khallasis?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes, Sir.

(b) Yes.

(c) No minimum qualification has so far been prescribed for this post.

(d) The qualification of matriculation was prescribed by the Divisional Officer for the reason that there were a number of electrical gadgets of special type which should be handled only by persons having elementary knowledge of electricity. Instructions have, however, since been issued by the Chief Engineer not to prescribe qualifications higher than those ordinarily required for the post.

Work-Charged Staff of C.P.W.D.

3413. Shri Tangamani: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the number of permanent work-charged staff of the C.P.W.D. who died or retired between 1st April, 1958 and 1st April, 1960;

(b) whether these permanent posts have been filled up; and

(c) if not, the reasons therefor and whether any *ad hoc* Committee of the Ministry has been entrusted with this job?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) 119.

(b) and (c). 3839 permanent posts were created with effect from 1st April, 1958. Members of the work-charged staff are still being confirmed against these posts. After this work has been completed, vacancies caused by death or retirement will be filled in the usual way.

Bomb Explosion in Jammu

3414. Shri N. R. Muniswamy: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that a time-bomb exploded near a Government building on or about 15th July, 1961 near Ranbirsinghpura and about half a dozen live bombs were recovered from that area;

(b) if so, whether investigations have been made in this regard;

(c) whether Pakistan saboteurs are responsible; and

(d) whether any experts visited the spot and found out the origin of said bombs?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (d). An explosion occurred in the Inspection Bungalow at Baspur in the province of Jammu on the 17th July 1961, damaging a door and a window of the building. Two explosives were also recovered from the vicinity. The explosives are suspected to have been planted by saboteurs from Pakistan.

It is for the Jammu and Kashmir police to investigate the case. Government has no further information.

Bharat Sevak Samaj in Orissa

3415. Shri Chintamoni Panigrahi: Will the Minister of **Planning** be pleased to state:

(a) the amount given to the Bharat Sevak Samaj for Orissa as grants during 1960-61 and 1961-62 so far;

(b) the details of the work done during the same period; and

(c) the number of branches of the Bharat Sevak Samaj in Orissa?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) No grant has been given by the Planning Commission to the Bharat Sevak Samaj specifically earmarked for Orissa during 1960-61 and 1961-62 so far. The Commission is giving grant to the Central Bharat Sevak Samaj for the Lok Karya Kshetra Programme. Out of this, the amount spent in Orissa is as follows:

1960-61	Rs. 11,904
1961-62	Rs. 9,305

(b) The above amount, provided for four Lok Karya Kshetras in Orissa (i) in Khaira (Balasore District)—(ii) Sakhigopal (Puri District)—(iii) Sankerko (Mayurbhanj District)—(iv) Chandragiri (Ganjam District), is spent for the promotion of public co-operation in various development activities in the area covered by the Keshetras.

(c) The Planning Commission do not have precise information.

विदेशी सरकारों को मान्यता देना

३४१६. श्री राम सेवक यादव : क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) भारत की स्वतंत्रता प्राप्ति के पश्चात् अब तक भारत सरकार ने संसार के कौन-कौन से देशों को मान्यता दी है;

(ख) उन देशों के नाम क्या हैं जिन्हें मान्यता दी गई थी, किन्तु उनके साथ राजनयिक सम्बन्ध नहीं स्थापित किये गये; और

(ग) किन-किन देशों को मान्यता नहीं दी गई ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू): (क) जर्मन संघीय गणराज्य, सान मारीनो, साइप्रस, चीन लोक गणराज्य, जापान, मंगोलिया लोक गणराज्य, घाना, गिनी, कैमरून्स, तोगोदेश, माली गणराज्य, सेनेगल गणराज्य, मदगास्कर, कांगो (लियोपोल्डविल), कांगो (ब्राज़ाविल), सोमालीया, दाहोमा, नाइजर, अपर वोल्टा, आइवरी कोस्ट, छाड, मध्य अफ्रीकी गणराज्य, गाबोन, नाइजीरिया, सियराल्योन, मोरक्को, ट्यूनीसिया, लिबिया, द० सूडान, इसराईल, कुवेत, मैक्सिको, अर्जन्तीना, बोलिविया, चिली, ब्राज़ील, कोलम्बिया, पेराग्वे, उरुग्वे, वेनीज़ूला, क्यूबा, निकारागुआ, पनामा, कोस्टारिका, ग्वातेमाला, हंडूरास, एल साल्वादोर, एक्वादोर, पेरू, डोमिनिकन गणराज्य, हेती, बर्मा, कम्बोडिया, लाओस, मलय संघ, सिंगापुर और पाकिस्तान ।

(ख) साइप्रस, सान मारीनो, कैमरून्स, तोगोदेश, माली, कांगो (ब्राज़ाविल), दाहोमा नाइजर, अपरवोल्टा, आइवरी कोस्ट, छाड, मध्य अफ्रीकी गणराज्य, इसराईल, निकारागुआ, पनामा, कोस्टारिका, ग्वातेमाला, हंडूरास एल साल्वादोर, एक्वादोर, पेरू, डोमिनिकन गणराज्य, हेती और पुर्तगाल ।

(ग) उत्तर और दक्षिण कोरिया, मौरीतानिया और वियतनाम ।

Small Scale Industries

3417. Shri Balakrishnan: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the policy of Government regarding the sanction of loans to small scale industries;

(b) the percentage of the loan on the value of buildings and machines;

(c) whether floating assets are excluded from the valuation; and

(d) if so, the reason therefor?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). The policy of the Government is to encourage Institutional agencies to advance loans to Small Scale Industries. The State Governments also have been advancing loans on liberal terms to small scale industrialists under the provisions of their respective State Aid to Industries Acts. For this purpose, the Central Government have advanced adequate funds as loans to the State Governments.

Under the liberalised terms of credit assistance, small industrialists can get loans up to 75 per cent of the value of security offered. It is for the State Governments to decide on the nature of the securities to be accepted.

Nagaland Interim Body

3418. Shri Raghunath Singh: Will the **Prime Minister** be pleased to state whether Nagaland Interim Body in a resolution has demanded that the Government headquarters should be set up at Kohima?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): A number of resolutions were adopted by the Interim Body of Nagaland during its first session which was held from the 17th to the 25th May, 1961.

In two of these resolutions the Interim Body recommended the reorganisation of the Commissioner's office into a Secretariat and the setting up of the Governor's headquarters at Kohima even during the interim period. The matter was discussed by the Executive Council with the Governor of Assam on the 7th July 1961. The Government of India have since communicated approval in principle to the construction of a Raj

Bhawan and a Secretariat building in Kohima.

Handing over Maintenance of Roads to Sikkim Government

3419. Shri Raghunath Singh: Will the **Prime Minister** be pleased to state whether the Government of India have decided to hand over the maintenance of Rangli-Jelepla and Pakyong-Rorathang roads to Sikkim Government?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Yes, Sir.

Code of Discipline

3420. Shri Tangamani: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that Code of Discipline is violated by employers in such of the industries as are aided by Government;

(b) whether it is also a fact that in Madras Cements, Thulukapatti, Madras State, 5 workers were dismissed for being signatories to the application for registration of the Union; and

(c) if so, what steps are being taken to protect workers in an effective manner without delay?

The Deputy Minister of Labour (Shri Abid Ali): (a) Complaints about violation of the Code are made by both employers and workers in the public and private sectors. Appropriate action is taken on them wherever necessary.

(b) No. One of the 5 workers alleged to have been dismissed was a petty contractor and not a workman and the remaining four had absented themselves without permission.

(c) Does not arise.

Community Hall in Kidwai Nagar, New Delhi

3421. Shri Vajpayee: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether the Kidwai Nagar Residents' Association, New Delhi is a representative organisation of the residents of that area and has been recognised by Government;

(b) whether the Association has asked for the allotment of the Community Hall (Centre) built exclusively for the benefit of the residents of that area;

(c) if so, Government's reaction to the representation submitted on the 11th October, 1960 in this regard; and

(d) whether it is a fact that the centre is now under the charge of persons who have no representative character and who charge exorbitant rents from the residents for holding their cultural and social functions in the hall?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) It is one of the associations of the residents of the locality, which are receiving grants-in-aid from the Government.

(b) to (d). The Association has been requesting for the allotment of the Samaj Sadan (Community Centre) to it. It is proposed to transfer the control of the building to the Ministry of Home Affairs who intend to allot it to the association representative of the residents of the locality. Bharat Sevak Samaj, to whom the building stands allotted at present, allow the use of the building to other organisations of the locality on payment of Rs. 5|- per day, the rate fixed by the Government. This amount is not considered exorbitant as it is inclusive of all charges like maintenance, electricity and water, watch and ward and conservancy.

Film on Conferences of Political Parties

3422. Shri Dharmalingam: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether the conferences of various political parties are filmed for the newsreel;

(b) if so, the number of them during the past five years, party-wise;

(c) whether any request was received from the Dravida Munnetra Kazhagam Party of Madras to film its conference held at Madurai from 13th to 16th July, 1961; and

(d) the action taken thereon?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Yes. Sir. Conferences of All India or inter-provincial parties are filmed.

(b) Indian National Congress—13 stories; Praja Socialist Party—4 stories; Communist Party of India—3 stories; Bharatiya Jan Sangh—5 stories; Swatantra Party—2 stories.

(c) Yes.

(d) The request was not acceded to.

Postal System in Bhutan

3423. Shri P. C. Borooah: Will the **Prime Minister** be pleased to state:

(a) whether the Bhutan Government have decided to introduce their own postal system;

(b) if so, whether all the postal arrangements made by India will be withdrawn;

(c) if so, how many employees will become surplus; and

(d) what will be its effect on Indian revenues?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The Government of India have no information.

(b) India has made no postal arrangements in Bhutan.

(c) and (d). Do not arise.

Auction of Property in Pahar Ganj

3424. Shri S. M. Banerjee: Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether it is a fact that Property No. 273—279 Mohalla Montola, Pahar Ganj was auctioned on the 19th December, 1958 worth Rs. 42,000;

(b) whether it is also a fact that occupants of the said property, who are all refugees, are residing there for the last 14 years;

(c) whether the Ministry enquired from the occupants about their willingness for the payment of the cost of the said property; and

(d) whether the occupants have been provided with any sort of alternative accommodation?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) Property No. XV|273-80 (New) Pahar Ganj, Delhi (not No. 273-279) was auctioned on 19th December, 1958 for Rs. 41,000|-.

(b) Yes.

(c) and (d). The property under the rules was not allottable nor was it divisible. Hence there was no question of offering it to the occupants. The occupants however have been attorned as tenants to the auction purchaser. As tenants they will enjoy special protection against eviction for a period of two years and thereafter will have the normal protection of the local Rent Laws.

Khadi and Village Industries Programme in Manipur

3425. Shri L. Achaw Singh: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Chief Commissioner of Manipur has directed that Manipur Khadi and Village Industries Association should act as the implementing agency for all Khadi and Village Industries programmes in Manipur;

(b) whether it is a fact that the Director of the Industries in Manipur has been designated as the Member Secretary of the Association;

(c) whether it is a fact that there are only seven members in the Association who constitute the Executive Committee;

(d) whether there has not been any regular election of the said committee;

(e) whether it is a fact that by an order dated the 10th July, 1961 the Manipur Administration has taken over all the powers and functions delegated to the Association; and

(f) if so, the reasons therefor?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) No, Sir.

(c) Yes, Sir,

(d) The members of the Executive Committee were duly elected at the last general meeting of the Association.

(e) No, Sir.

(f) Does not arise.

Biography of Netaji

3426. Shri Assar: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the writer of Netaji's biography was denied information and was not allowed to see some original letters by the U.K. authorities which are in their possession;

(b) whether the Government of India have made any inquiry in this regard; and

(c) if so, what reason was given by the U.K. authorities for this act?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes.

(b) Yes, the U.K. Government was approached through High Commission of India, London, for facilities.

(c) The U.K. Government regretted their inability to provide information as they are unwilling to relax 50 years rule governing opening of official records to private individuals.

Roads in Bhutan

3427. Shri L. Achaw Singh: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the Five Year Plan launched by the Bhutan Government includes the construction of 800 miles of motorable roads;

(b) whether the approach road linking India with Bhutan is also included in the 800 miles to be constructed; and

(c) the progress made so far in the construction of the link road?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The Bhutan Government plans during the period 1961-66 to construct about 270 miles of motorable roads and 100 miles of jeepable roads in Bhutan.

(b) Two roads linking India with Bhutan are included.

(c) The first link road *viz.* the Phuntsoling-Paro Road, is expected to be completed early in 1962. The other road is being surveyed.

Survey of Manipur

3428. Shri L. Achaw Singh: Will the **Prime Minister** be pleased to state:

(a) whether the National Sample Survey Team has started its operation in Manipur; and

(b) if so, the objects of the Survey?

The Minister of Finance (Shri Morarji Desai): (a) Yes.

(b) The object of the Survey is to collect from various socio-economic sectors statistical data required for national planning, administration and policy formulation.

Auditors for Government sponsored Pilot Project Companies in Orissa

3429. Shri A. Sarma: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether in the State of Orissa the Company Law Administration which recommends the names of Auditors to the Government sponsored pilot project companies, maintains a panel of practising Auditors of the State of Orissa and keeps it up-to-date;

(b) what is the number of practising chartered accountants or firms of chartered accountants in the state of Orissa and how many of them are associated in the audit of Government sponsored pilot project companies; and

(c) what is the principle adopted by Government in respect of appointment of auditors to these companies?

The Minister of Commerce (Shri Kanungo): (a) The Department of Company Law Administration does not maintain any panel of Chartered Accountants practising in the State of Orissa.

The impression of the hon. member that the Department recommends names of qualified persons to Pilot Project Companies in Orissa for appointment as auditors is not correct. The names of persons for appointment of auditors are proposed by the companies themselves and the Central Government appoints auditors in terms of Section 619 of the Companies Act on the advice of the Comptroller and Auditor General of India.

(b) According to the information available in the year book of Chartered Accountants of India for the year 1960, 26 chartered accountants were practising in Orissa on the 1st April, 1960. Of them, 4 have been appointed as auditors of 35 Government companies in Orissa for the year 1960-61. No separate information is available in respect of Pilot Project companies.

(c) As stated above, the Government is guided by the advice of the Comptroller and Auditor General of India in the matter to whom the names of auditors or their firms, as recommended by the companies concerned, are forwarded for consideration.

भारतीय सहायता मिशन, नेपाल के कर्मचारी

३४३०. श्री रामशरण : क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या नेपाल में भारतीय सहायता मिशन के कर्मचारियों को अभी तक संशोधित वेतन-क्रम के अनुसार वेतन नहीं दिये गये हैं;

(ख) क्या यह सच है कि भारत में पिछले दस महीने से संशोधित वेतन-क्रम के अनुसार वेतन दिये जा चुके हैं; और

(ग) विलम्ब के क्या कारण हैं ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) वेतन आयोग, १९६० की सिफारिशों को भारतीय सहायता मिशन, नेपाल पर लागू करने का प्रश्न अभी विचाराधीन है ।

(ख) जी हां ।

(ग) देरी का कारण यह है कि कुछ मसले अभी तय होने को हैं, जैसे : वेतन के साथ महंगाई भत्ता मिला दिये जाने के कारण नेपाल-भत्ते में कमी करना, जिन पदों के समानान्तर वेतन-क्रम विद्यमान नहीं हैं, उनके लिए वेतन-क्रम निर्धारित करना, आदि ।

Handloom Weavers of Madras

3431. Shri Tangamani: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether representations have been received from the handloom weavers of Madras State about supply of Art Silk Yarn;

(b) if so, action taken in the matter;

(c) whether it is a fact that weavers in centres like Chinnalapatti, Aruppukottai and Kumarapalayam depend mainly on this year; and

(d) what special steps are being taken to supply the required art silk yarn to the traditional handloom weavers of this area?

The Minister of Commerce (Shri Manungo): (a) Yes, Sir.

(b) During the period July-September 1961 reasonable quantities of indigenous art silk yarn have been released for distribution to the handloom weavers in Madras State.

(c) Yes, Sir.

(d) No special steps are being taken to provide art silk yarn to the handloom weavers of the area.

Slum Clearance during Third Plan

3432. Shri Tangamani: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the amount set apart for slum clearance during the Third Five Year Plan period;

(b) how much has been set apart for Madras State; and

(c) what is the amount sanctioned for the six cities for 1961-62 mentioned in Sen Committee Report with the break up?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) A provision of Rs. 28.60 crores has been made in the Third Plan for slum clearance, slum-improvement and for construction of night-shelters.

(b) A sum of Rs. 2.92 crores is likely to be allocated to the Government of Madras in the 3rd Plan, of which Rs. 2.19 crores will be Central assistance and the balance will be the State's own contribution.

(c) The following amounts are likely to be allocated during 1961-62, to the State Governments/Union Administration in which the six major cities are located:—

S. No.	State/Union Territory	Amount allocated during 1961-62 (both Central and State shares)	Major City
		Rs. lakhs	
1	Gujarat	25·60	Ahmedabad
2	Madras .	48·60	Madras
3	Maharashtra	81·00	Bombay
4	U.P. . .	44·53	Kanpur
5	West Bengal	45·33	Calcutta
6	Delhi . .	*105·00	Delhi

*(Excludes provision for Jhuggis and Jhopris Clearance Scheme.)

The State Governments are expected to utilise 90% of their respective allocations in the major cities.

Tea Export

3433. Shri K. P. Sinha: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the total quantity of tea available for export in the month of July, 1961 and how does it compare with that of last year; and

(b) whether it is a fact that high quality of tea fetched good prices and there was no market for low-grade tea?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) While it is difficult to make reliable estimates of tea available for export in a particular month the actual exports during July 1961 have been estimated at 32.32 million lbs. as against 26.50 million lbs. during July 1960.

(b) The demand for better varieties of Darjeeling and Assam teas was

encouraging and prices obtained fairly satisfactory. Common teas were also sold readily.

Cotton Mills

3434. Shri K. P. Sinha: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the quantity of different kinds of cotton required by the cotton mills in the country and whether the country is self-sufficient; and

(b) the steps taken by Government to meet the needs by growing different varieties of cotton and how far we have been successful in this direction?

The Minister of Commerce (Shri Kanungo): (a) The total requirements are about 52 lakh bales, comprising 3 lakh bales short staple, 24 lakh bales medium staple and the rest long staple. Nearly 6 lakh bales of cotton stapling 1-1/16" and above, which are required for the manufacture of yarn over 40 counts, have to be imported from abroad.

(b) The main steps taken by the Government to grow the different varieties of cotton required by the mills in the country are as follows:—

(i) The evolution of improved strains of cotton for different cotton growing tracts through research schemes financed by the Indian Central Cotton Committee in the cotton growing states which include schemes for the evolution of extra long staple cottons of 1-1/16" and above.

(ii) Propagation of improved strains by extending financial assistance through the Indian Central Cotton Committee to the States for multiplication and distribution of pure seed of the improved varieties of cotton.

(iii) Continuation of cotton extension schemes which were in operation in the First and Second Five Year Plan periods, during the Third Plan period also.

(iv) The launching of Special Schemes by the Indian Central Cotton Committee for the development of Sea Island Andrews and Hybrid cottons, the staple length of which ranges between 1-1/4" and 1-3/16".

(v) Exemption of cottons having staple length of 1-1/8" and above from price control.

The above measures have been successful to a large extent in taking the country towards self-sufficiency in the different types of cotton required by the mill industry. This is evident from the fact that in a normal year the country's production is able to meet the entire requirements of the industry, excepting those of superior staple cotton.

Sub-soil water in Delhi and New Delhi

3435. Shri Bishwanath Roy: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that the level of sub-soil water has risen considerably at Delhi and New Delhi; and

(b) if so, whether several Government buildings besides those of some public institutions have been badly affected owing to this fact?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes; the level of sub-soil water has risen in New Delhi. As regards old Delhi no investigation of the sub-soil water level has been conducted by the Government of India.

(b) No structural damage to buildings has occurred but other consequences of high sub-soil water level like for instance dampness are inevitable.

Industrial Units in Andhra Pradesh

3436. Shri M. V. Krishna Rao: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the names of the new industrial units in large scale sector established in Andhra Pradesh during 1960 with their location; and

(b) the names of the new industrial units in large scale sector started or to be started in Andhra Pradesh during 1961 with their location?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). 35 licences for the establishment of new undertakings in Andhra Pradesh were issued during 1960 and 1961 (upto July, 1961). In so far as the names of the new industrial undertakings established in 1960 and 1961 (upto July, 1961) with their location are concerned, they are given in the Journal of Trade and Industry.

The names of the industrial units that are to be established in future cannot be foreseen.

European Common Market

3437. Shri Harish Chandra Mathur: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether in the light of U.K.'s likely joining of European Common Market any special measures in organisation and otherwise are being taken to look after our exports; and

(b) whether our commercial representatives abroad have been advised to take any action or any special representative is exclusively in charge of the matter?

The Minister of Commerce (Shri Kanungo): (a) and (b). The question is currently under discussion with the authorities concerned and the House will be informed in due course of any special measures that may be decided upon. Our Commercial Representatives have been instructed to remain in touch with the Governments to which they are accredited and to report on developments from time to time.

Secondary Schools in Herobhanga Colony in 24 Parganas

3438. Shrimati Renu Chakravartty: Will the Minister of **Rehabilitation and Minority Affairs** be pleased to refer to the reply given to Unstarred Question No. 1944 on the 16th December, 1960 and state:

(a) whether Government have enquired how many children are schoolless due to the fact that there are no Secondary Schools in Herobhanga Refugee Colony in 24 Parganas;

(b) whether it is a fact that it is far from any other Secondary school;

(c) whether it is a fact that the Minister on his visit to the Colony, several years ago, promised the refugees a secondary school there; and

(d) what are the changed circumsstances for delaying it?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) to (c). Three Primary Schools and One Junior High School are functioning in the Herobhanga Colony, the number of students on the rolls in these schools being about 544. Inquiries made in December, 1960 had revealed that a High School was not yet needed. The Junior High School authorities, however, have been instructed by the State Government to add class IX to the School when required. There is an existing Higher Secondary School at a distance of about 5 miles from the Colony.

(d) Does not arise.

स्टालों में व्यापार-धन्धा करने वाले विस्थापित व्यक्ति

३४३९. श्री बलराज मधोक : क्या पुनर्वास तथा अल्पसंख्यक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकार की उन विस्थापितों के प्रति, जो पाकिस्तान बनने के समय से खोखों में अपना व्यापार-धन्धा कर रहे हैं, क्या नीति है;

(ख) क्या उन्हें वैकल्पिक स्थान दिये बिना उनके खोखे नष्ट कर दिये जायेंगे, और उन्हें पुन: विस्थापित बना दिया जायेगा; और

(ग) यदि हां, तो गुजरात में पाटन और अन्य कई स्थानों पर ऐसे खोखे वालों को वैकल्पिक स्थान दिये बिना क्यों खोखों को नष्ट किया जा रहा है ?

पुनर्वास तथा अल्प-संख्यक कार्य मंत्री (श्री मेहर चन्द खन्ना) : (क) और (ख). पश्चिमी जोन में यह मंत्रालय कोई भी नया निर्माण कार्य नहीं कर रहा है । प्राय: सभी पुनर्वास योजनाएं कार्यान्वित हो चुकी हैं । खोखों के विषय में उचित कार्यवाही सम्बन्धित राज्य सरकारों द्वारा उनकी सामान्य नीति के अनुसार की जायेगी ।

(ग) पाटन (गुजरात राज्य) में स्थित खोखों के विषय में यदि कुछ विस्तृत जानकारी दी जाये तो आवश्यक जांच पड़ताल की जायेगी ।

दिल्ली की गीता कालोनी में नागरिक सुविधाओं पर व्यय

३४४०. श्री बलराज मधोक : क्या **पुनर्वास तथा अल्पसंख्यक कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली की गीता कालोनी में सड़कों, नालियों तथा अन्य विकास कार्यों पर अभी तक कुल कितना धन खर्च किया जा चुका है;

(ख) यह कालोनी कब तक दिल्ली निगम को हस्तान्तरित की जायेगी ?

पुनर्वास तथा अल्प-संख्यक कार्य मंत्री (श्री मेहर चन्द खन्ना) : (क) १०,०४,१०६ रुपये ।

(ख) कालोनी के एक भाग में सड़कों को छोड़ कर शेष सभी सेवायें दिल्ली निगम को हस्तान्तरित की जा चुकी हैं । शेष सड़कों का कार्य प्रगति पर है और आशा है कि यह जून, १९६२ तक पूर्ण हो जायेगा, सड़कों का कार्य समाप्त हो जाने पर यह काम निगम को हस्तान्तरित कर दिया जायेगा ।

जम्मू और काश्मीर राज्य के विस्थापित परिवारों के लिये दिल्ली में बस्ती

३४४१. श्री बलराज मधोक : क्या **पुनर्वास तथा अल्पसंख्यक कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में रहने वाले जम्मू और काश्मीर राज्य के उन विस्थापित परिवारों को, जिन्हें अभी तक कोई मकान या प्लाट नहीं दिया गया, बसाने के लिये एक बस्ती बसाने का सरकार का विचार है; और

(ख) यदि हां, तो उस का ब्यौरा क्या है ?

पुनर्वास तथा अल्पसंख्यक कार्य मंत्री (श्री मेहर चन्द खन्ना) : (क) जी नहीं । पश्चिमी पाकिस्तान से आये विस्थापितों तथा पाकिस्तान द्वारा नाजायज़ कब्जा किये हुए जम्मू और काश्मीर क्षेत्र से आने वालों के लिये कोई भी नये निर्माण-कार्य-क्रम को करने का विचार नहीं है ।

(ख) प्रश्न नहीं उठता ।

Fall in Quality of Indian Tea

3442. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that this season's samples of new crop of Indian tea in London sales have been found of poor quality and that the buyers have virtually neglected some of the lots on offer; and

(b) if so, whether Government propose to make an inquiry into the causes of falling of the quality?

The Minister of Commerce (Shri Kanungo): (a) The North Indian crop during the current season has been larger than in the previous years mainly because of the excessive rainfall

that the areas in question have been experiencing. This increase in crop has been accompanied by a certain decline in the quality of the teas. The average price of North Indian Teas has, however, been lower than that in 1960 due to the fact that the buyers have generally been more selective and the stocks in the U.K., have been higher as compared to last year. Besides, production of tea all over the world during the current year is higher as compared to last year and the buyers in London Auctions were not eager to purchase ordinary teas at the same high prices as were paid by them during 1960. Some of the best Darjeeling and Assam teas have, however, been sold at attractive prices and the demand for this description have been particularly encouraging from the outmarkets.

South Indian teas have generally done well during this year.

(b) The decline in quality of the current season's North Indian tea crop is primarily due to weather conditions and does not appear to call for any specific enquiry. Such seasonal decline in quality is not unusual.

Textile Conference in Geneva

3443. Shrimati Maimoona Sultan: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 357 on the 10th August, 1961 and state:

(a) what were the questions discussed at the GATT Textile Conference held in July, 1961 and what major recommendations were made by the Conference; and

(b) who represented India in that Conference?

The Minister of Commerce (Shri Kanungo): (a) The Conference discussed arrangements for the orderly development of international trade in cotton textiles. A copy of the document setting out the arrangements drawn up at this Conference is laid on the Table of the House. [*Placed in Library. See* No. LT-3196/61.

(b) The following persons represented India at the conference:

1. Shri T. Swaminathan, Commissioner General for Economic Affairs in Europe, London.

2. Shri M. G. Mathur, First Secretary, (Commercial) Office of the High Commission of India, London.

3. Shri K. H. Udeshi, Textile Expert, Consulate General of India, Frankfurt (West Germany).

Heavy Electricals Ltd., Bhopal

3444. Shrimati Maimoona Sultan: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the present production capacity of the Bhopal Heavy Electricals per annum;

(b) the figures showing the actual production during each of the years 1958, 1959 and 1960;

(c) the target of production of the factory under the Third Five Year Plan; and

(d) the proposed cost of the expansion scheme and how much has been allocated in the Plan for this scheme?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 48].

Export of Iron Ore from Mysore

3445. Shri Achar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that some differences have arisen between the Mysore State Mineral Development Board and the State Trading Corporation regarding the export of iron ore from Mysore; and

(b) if so, what are the differences and how they are going to be solved?

The Minister of Commerce (Shri Kanungo): (a) and (b). The agreement between the State Trading Corporation and the Mysore State Mineral Development Board which was under discussion has since been finalised.

Malaya Government's Notification Withdrawing Grants to Schools Teaching in Punjabi Etc.

3446. Shri Achar: Will the **Prime Minister** be pleased to state:

(a) whether Government of India have considered the Notification of Government of Malaya withdrawing all grants to schools teaching in Punjabi, Telugu and Malayalam in that country; and

(b) if so, whether Government of India had any correspondence with the Government of Malaya on this question?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The Government of India have seen press report on the subject. A reference has been made to our High Commission and their reply is awaited.

Slum Clearance in Bangalore

3447. Shri Keshava: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the amounts involved in the clearance of the two slums in the city of Bangalore, Malleswaram Pit Colony and Dasara Colony in Jaynagar which has not yet been paid to the Mysore State Government; and

(b) the reasons for withholding the expenditure already incurred?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). In January/February, 1961, the Government of Mysore asked for Central assistance under the Slum Clearance Scheme, in respect of (i) 150 houses built for the slum families of milkmen of 'Pit' colony Bangalore, (together with the building for the cattle) at an estimated cost of Rs. 9 lakhs and (ii) 18 houses built for the slum dwellers of 'Dasara' Colony at an estimated cost of Rs. 45,000. The projects, on scrutiny, were found to be sub-standard as compared to the minimum accommodation and services prescribed in the Slum Clearance Scheme. Besides, it was understood that the State Government proposed to transfer the ownership of the houses to the slum dwellers, which is not permitted under the Scheme. The State Government were accordingly advised in April 1961, that the projects as formulated did not qualify for the grant of Central assistance under the Scheme.

Implementation of Recommendations of Sugar Wage Board

3448. Shri K. N. Pande: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that in spite of a letter written by the Labour Minister of Government of India to the Chief Minister of Punjab, the Co-operative Sugar Factories in Punjab have not implemented the recommendations of the Sugar Wage Board so far;

(b) if so, the steps taken by the Central Government to see that the Co-operative Sugar Factories in Punjab also implement immediately the recommendations of the Sugar Wage Board;

(c) whether it is a fact that as there is no Central machinery to clarify various points arising out of the implementation of the recommendations, the speed is very slow in those States too where implementation has been started; and

(d) if so, the steps taken to appoint such a machinery in order to clarify the disputed points?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). Representations were received from the 3 Co-operative Sugar Factories in Punjab for exemption. They have, however, been advised to implement the recommendations.

(c) and (d). No such difficulties have so far been reported by the State Governments. However, the question of setting up a Central machinery for clarifying points of doubt is being considered.

Eviction of Displaced Families

3449. { **Shri Balraj Madhok:**
Shri Jagdish Awasthi:
Shri S. M. Banerjee:

Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether the property known as 7 Jantar Mantar Road, New Delhi, is an evacuee property;

(b) whether it has been auctioned;

(c) if so, whether bids were called and what was the highest bid;

(d) whether some displaced families have been living in the out-houses of this property;

(e) whether it is a fact that eviction orders are being given to these families by the Rehabilitation Ministry even though it has already sold the property; and

(f) if so, why?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) Yes.

(b) and (c). It was sold at the reserve price to the old tenant.

(d) Yes, both displaced as well as non-displaced.

(e) and (f). Yes, for habitual non-payment of rent. Though an agreement for the sale of the property has been arrived at, it has not yet been actually transferred to the purchasers.

Auction of Property in Multani Dhanda, Paharganj Delhi

3450. Shri Balraj Madhok: Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether it is a fact that evacuee houses in Multani Dhanda, Paharganj, New Delhi, were put on auction in July and early in August, 1961;

(b) whether it is also a fact that no bidder came forward to purchase these houses;

(c) whether it was due to the fact that every house is shared by as many as ten to fifteen displaced families making every house a slum;

(d) whether these displaced families have made representation for being given alternative accommodation; and

(e) if so, what steps have the Government taken to meet this genuine demand?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) Yes, some "unallottable" houses were put to auction.

(b) Only 4 properties fetched bids in auction, while no bids were offered for the remaining properties.

(c) In a number of houses there are more than one occupant.

(d) No.

(e) Does not arise.

All India Radio

3451. Shri Balmiki: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) what steps have been taken by the All India Radio to propagate Gandhiji's ideals and teachings among masses, particualrly among the younger generation;

(b) how many times in a week Gandhiji's programmes are broadcast;

(c) whether it is a fact that there is no separate Gandhi Unit like Dr. Tagore Unit in the All India Radio to organise Gandhiji's programmes;

(d) how many records of Gandhiji's speeches have been preserved and what care is being taken to see that these records of national importance do not get decayed; and

(e) what steps have been taken by Government to collect reflections of Gandhiji from all countries of the world in their language?

The Minister of Information and Broadcasting (Dr. Keskar): (a) to (e). A note giving the information is laid on the Table of the House. [*See* Appendix IV, annexure No. 49].

Fertilizer Plants

3452. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government propose to issue licences for the establishment of three more fertilizer plants;

(b) what is the total production capacity to be licensed under these projects; and

(c) where the plants are to be set up?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (c). Government of India is considering proposals for the establishment of fertilizer factories in Gujarat, Durgapur, Mangalore and Tuticorin. The total capacity of these projects will be about 250,000 tons of Nitrogen.

Sewing Machines and Fans

3453. Shrimati Ila Palchoudhuri: Will the Minister of **Commerce and Industry** be pleased to state the total approximate annual figures of demand and supply together with its financial implications of different Indian and foreign makes of sewing machines and fans for all the Union Territories of India, Territorywise, for each of the years 1959-60, 1960-61 and 1961-62 upto June 30, 1961?

The Minister of Industry (Shri Manubhai Shah): The information is not readily available for the Union Territories separately.

Meter Factory

3454. Shri Shree Narayan Das: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether there is any proposal to have a meter factory in each State;

(b) whether any of the States have more than one units; and

(c) if so, the special circumstances in which this has been allowed?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir.

(b) Yes, Sir.

(c) Schemes for water, Gas and house service meters are considered on merits location being left to the choice of the entrepreneur.

Repairs Done to Bungalows on Ferozeshah Road, New Delhi

3455. Shri Tangamani: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that some repairs (re-flooring of the roofs) were undertaken in bungalows on Ferozeshah Road;

(b) if so, the nature of the repairs undertaken;

(c) the number of bungalows where these repairs were undertaken;

(d) whether it is a fact that during the rains in August, the roofs of these bungalows were leaking;

(e) if so, whether any responsibility has been fixed for faulty repairs; and

(f) if so, the particulars thereof?

The Deputy Minister of Works, Housig and Supply (Shri Anil K. Chanda): (a), (c), (d), (e) and (f). The roofs of the bungalows on the Ferozeshah Road are due for replacement. The work has been approved and will be carried out by the Central Public Works Department as early as possible. Meanwhile, it was considered necessary to repair the roofs of these bungalows to make them leak-proof. This work was taken up in 18 bungalows on the Ferozeshah Road in June, 1961. The repairs were in progress when heavy rainfall occurred in August, 1961 resulting in leakages. The repairs not having been completed before the leakages, the question of

fixation of responsibility does not arise.

(b) The work of repairs consists of:

(1) Replastering of worn out tops of parapets.

(2) Easing out the sharp corners.

(3) Regrouting the tiles of mud phuska over the roof.

(4) Laying tarfelt over the top and inside of parapet.

(5) Treating the tiled roof surface with water proofing bitumastic material.

Naga Hostiles

3456. Shri P. C. Borooah: Will the **Prime Minister** be pleased to state:

(a) whether a number of Naga hostiles have surrendered recently; and

(b) if so, how many?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Fifty-one hostiles have surrendered in Nagaland during the last three months. The month-wise figures are as follows:

June	11
July	24
August (upto 28th) ..	16

Export of Tea to U.S.A.

3457. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the exports of tea into the U.S.A. in the first half of this year fell sharply in comparison with that made during corresponding period in the previous year;

(b) if so, to what extent; and

(c) what are the reasons for the decline?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). There has actually been an increase to the extent of about 2 million lbs.

(c) Does not arise.

Handicrafts Industry

3458. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government have received any proposal from the Punjab Government for giving assistance to handicraft industry in the State during the year 1961-62.

(b) if so, the details thereof; and

(c) the action taken thereon?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The Punjab Government have proposed 33 schemes for the development of handicrafts with a total outlay of Rs. 11·41 lakhs for the year 1961-62. These schemes are for the establishment of training centres, reorganisation of emporia, development of cooperatives, reorganisation of industrial schools etc.

(c) The quantum of Central assistance to the State Government for these schemes for the year 1961-62 has not yet been finalised. The schemes can, however, be implemented in the meantime by the State Government from their own resources and ways and means advances from the Centre.

Development of Dadra and Nagar Haveli

3459. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state:

(a) whether the Government of India propose to extend any financial assistance to the Administration of Dadra and Nagar Haveli for development activities there;

(b) whether a scheme has been drawn up for the purpose;

(c) if so, what are its broad outlines; and

(d) how much assistance is proposed to be rendered in the ensuing year?

The Prime Minister and Minister of External Affairs (Shri Jawahar Lal Nehru): (a) to (d). A five year Plan of development was prepared by the Administration of Dadra and Nagar Haveli before the integration of these areas with India. It envisaged the introduction of Special Multipurpose Projects, the development of Roads and Communications and the provision of Higher Education, Medical and Public Health facilities. The areas will now fall within the scope of India's third Five Year Plan, and such financial assistance as is considered appropriate to supplement local resources will be extended, but the exact details have not yet been worked out.

Sewing Machines

3460. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state whether Government have fixed the target for output of sewing machines for the year 1961-62?

The Minister of Industry (Shri Manubhai Shah): In the Third Five Year Plan, the production target for sewing machines at the end of the plan period i.e. the year ending March, 1966 is fixed at 450,000 Nos. in the large scale sector and 150,000 Nos. in the small scale sector. It is not possible to fix yearly targets, but annual progress is continuously reviewed.

Paper Mill in Kashipur, U.P.

3461. Shri Madhusudan Rao: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that a licence has been issued to an individual for starting a paper mill in Kashipur in U.P. during the Third Five Year Plan period; and

(b) if so, the details thereof in regard to its cost, total production per year and time by which it will start production?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir.

(b) Does not arise.

Industrial Disputes Act

3462. { Shri Amjad Ali: / Dr. K. B. Menon:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the Industrial Disputes Act has been made applicable to the State of Jammu and Kashmir;

(b) if so, since when and if not what other Acts are in force in the State of Jammu and Kashmir to safeguard the interests of the working class;

(c) whether these Acts are made applicable to those employees of the Indian concerns who have been transferred to the State of Jammu and Kashmir; and

(d) if not, under what Acts they are governed and how their interests are safeguarded?

The Deputy Minister of Labour (Shri Abid Ali): (a) The Industrial Disputes Act, 1947 does not apply to the State of Jammu and Kashmir except in relation to industrial disputes concerning workmen employed under the Government of India.

(b) to (d). The Jammu and Kashmir (Industrial Disputes) Act is in force in that State and is applicable to the rest of the workers there.

News Readers in A.I.R.

3463. Shri Goray: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether it is a fact that scales of pay of news readers in the A.I.R. vary according to the language;

(b) if so, what are the pay scales of Hindi and English news readers; and

(c) the reasons for giving better pay scales to the Hindi and English news readers?

The Minister of Information and Broadcasting (Dr. Keskar): (a) No, Sir. Categorisation and scales of pay are not done on basis of language.

(b) and (c). Do not arise.

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12 hrs.

MOTIONS FOR ADJOURNMENT

CLOSURE OF MOSABARI COPPER MINES

Mr. Speaker: I have received notice of an adjournment motion from Shrimati Renu Chakravartty.

It reads:

> "The closure of Mosabari Copper mines laying off over three thousand miners and its adverse effects on the copper factory of Indian Copper Corporation."

What is the position?

The Deputy Minister of Labour (Shri Abid Ali): Sir, on the 14th of last month intimation was received from the Union that about 3,000 workers in the mines and 1,300 workers in the factory, that is, a total of 4,300 workers, were likely to be laid off. Enquiries were made and it has been found that only 96 workers are likely to be laid off and not more, because of certain reasons.

Shri S. M. Banerjee (Kanpur): What are the reasons?

Shrimati Renu Chakravartty (Basirhat): The main reason for this is that they are short of zinc and explosives due to shortage of foreign exchange. This is the only copper extracting organisation in the whole country. Therefore I would like to know why Government is not rushing these matters so that the factory and the mines can work. It is a very important concern.

Shri Abid Ali: The hon. Member has tried to give very much seriousness to this question by mentioning the figure 4,300. During the process of work some difficulties might arise and, as I said, only 96 workers are affected. Of course, the local government will take appropriate steps and as far as possible attempts will be made not to lay off even these workers further.

Shrimati Renu Chakravartty: Are we to take that only 96 workers have been laid off? The information that we have received is that over 3,000 miners have been laid off *since 14th August*. This information is from the Indian Copper Corporation Workers' Union. It says that it is not a fact that only 96 workers may be laid off. Therefore we would like to know how they have been laid off. This is a very serious thing.

Shri Abid Ali: The information which the hon. Member has given is wrong.

Shri T. B. Vittal Rao (Khammam): The hon. Minister has stated that it is for the local government to take the necessary steps, but industrial relations in copper mines is the responsibility of the Central Government. Now, the reasons for which they are going to be laid off are not clearly stated. If the reason is a defect in the mines or in the factory, it is solely the responsibility of the Central Government. There is shortage of copper in the country. Even if zinc is not made available, copper could be produced and the mines could run.

Mr. Speaker: The difficulty arises when hon. Member exaggerates the figure from 96 to 3,000. Then the hon. Minister also says, 'All right' in the usual course. If merely a question had been asked as to why even 96 workers had been laid off, possibly he would have gone into details. Largely on a kind of exaggeration, hon. Members ought not to table adjournment motions, unless they are thoroughly satisfied that the information that they have got is true. If it is the responsibility of the Centre, the hon. Minister shall make enquiries and as early as possible give it. I do not give my consent to this adjournment motion.

12.65 hrs.

DEATHS DUE TO COLLAPSE OF ROPE BRIDGE OVER THE RIVER TEESTA

Mr. Speaker: I have received notices of adjournment motions by three hon. Members, Shri S. M. Banerjee and o.hers, regarding—

> "Immediate need to discuss the serious mishap in North Sikkim resulting in death of 62 people including 4 Indian Army Officers due to collapse of rope bridge over the river Teesta.
>
> (*Times of India* dated 5th September, 1961.)".

What is the position?

The Deputy Minister of Defence (Shri Raghuramaiah): Sir, I regret to report that we have received information that on the 2nd September at about 17·30 hours a party of civil and military personnel belonging to the Border Roads Organisation who were engaged in the construction of the suspension bridge at Toong approximately 40 miles north of Gangtok met with an accident. The accident might have been caused by the anchorage of the bridge giving way. According to available information two officers, two JCOs, 8 Other Ranks and 25 civilian labour are missing and are feared to have been drowned. Officiating Chief Engineer proceeded immediately to the scene of accident. Further details are being awaited. Next of kin are being informed. We are also ordering an immediate enquiry. I may add that the question of payment of compensation to the families of the deceased is also receiving attention.

Shri S. M. Banerjee: In the newspaper report it has been stated that nobody has been recovered so far. I want to know whether the dead bodies of these Army officers and those Tibetan Khampas who were working along with them were recovered. What is the information as to whether the dead bodies have been recovered?

Mr. Speaker: The hon. Minister may answer all the questions together. Shri Braj Raj Singh.

Shri Braj Raj Singh (Firozabad): May I know whether the circumstances under which this rope bridge collapsed have been ascertained? Why was it that adequate precautions were not taken for this? We are all very much interested in the road development in this area because this area happens to be the border area with Tibet. In this strategic area when such accidents happen people may sometimes suspect that there might be some sabotage.

Mr. Speaker: He wants to know whether it is due to sabotage or it is in the natural course.

Shri Sadhan Gupta (Calcutta—East): *rose—*

Mr. Speaker: Shri Sadhan Gupta is not a party to this adjournment motion. Very well.

Shri Sadhan Gupta: I want to know whether this rope bridge was constructed departmentally or by private contractors, and, if so, whether there was any defect in the construction which caused the collapse.

Shrimati Ila Palchoudhuri (Nabadwip): I have tabled a short notice question on this. Perhaps when the hon. Minister has more information, will he kindly make some sort of a statement? May the question be allowed.

Mr. Speaker: It is not a short notice question; I have got a 'calling attention' notice.

Shrimati Ila Palchoudhuri: I have tabled both. It is far you to allow whichever you may like.

Shri T. B. Vittal Rao: The hon. Minister has said that some enquiry is being held. Could we know the nature of the enquiry, whether it will be a judicial enquiry or will it be the usual court of Inquiry?

Shri Raghuramaiah: I would like to say that Government are as much perturbed by the accident, perhaps much more in view of its gravity and the urgent nature of the work that is being done there. The enquiry will be by a high Army officer as is usual *in these cases.*

As for the bodies, I said that they are missing. At present, as far as my information goes, no body has yet been recovered.

About the bridge, on the 27th August the existing suspension bridge there was washed away by high floods. This was a temporary bridge which was under construction.

As to the exact reason how it could have happened, I have already indicated that according to the information I have it might be due to the anchorage giving way, but it is to find out the exact reason for it that we are proposing to order an enquiry.

Shri S. M. Banerjee: Bodies are missing and intimation has been sent to the next of kin that they have died.

Mr. Speaker: Order, Order; the hon. Member himself will put a question, if the bodies are missing, you did not intimate. If they are recovered, both the Government and the next of kin will only be too happy—not merely if they are recovered, but recovered in whole. If intimation is not given, the hon. Member himself would have tabled another Adjournment motion why intimation has not been given.

Shri Braj Raj Singh: Can we expect from the Minister a statement giving detailed information about this before we adjourn?

Mr. Speaker: Before we adjourn, if he gets any more information, he will try to place it on the Table of the House. If hon. Members had waited, he would have done so. Hon. Members must have faith in the Government. I do not think there is any need for this adjournment motion. It is due to an accident. Therefore, I am not called upon to give my consent to this adjournment motion.

Shri Braj Raj Singh has given a Call attention Notice. I will call it on the 8th.

12.11 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REJECTION OF APPLLICATION FOR REHABILITATION COMPENSATION CLAIMS

Shri Inder J. Malhotra (Jammu and Kashmir): Under Rule 197, I beg to call the attention of the Minister of Rehabilitation and Minority Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:

> "The situation arising out of the large-scale rejection of the rehabilitation compensation claims of displaced persons settled in Jamu and Kashmir State.

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): Claims in respect of immovable property left in Pakistan were invited under Ordinance No. 5 of 1950 issued on the 19th January, 1950, which was subsequently replaced by the Displaced Persons (Claims) Act of 1950. All displaced persons from West Pakistan, whether settled in Jammu and Kashmir State or elsewhere, were, according to Section 5 of the Act, required to register their claims from 1st July, 1950. The last date for receipt of applications was fixed as 30th September, 1950 but was subsequently extended to 30th November, 1950. Delays in submission of applications were freely condoned by the Claims Commissioners up to January, 1952. Subsequently delays were even condoned up to 31st August, 1952 in hard cases.

One thousand three hundred and thirty Compensation applications from displaced persons settled in

Jammu and Kashmir State were received, of which 1310 were registered and a sum of Rs. 27·51 lacs has so far been paid as compensation to 1,307 claimants in the form of cash, statements of account and adjustment of public dues. The claims Act expired in the year 1952 and no applications can be made under that Act now.

One more opportunity was given under Rule 95 of the Displaced persons (Rehabilitation and Compensation) Rules of 1955 to the displaced persons who had not filed their claims under the Claims Act to file rehabilitation grant applications provided they could produce documentary evidence in support of their claims. The last date of filing these applications was 31st December, 1955. Another 585 applications were received from the displaced persons settled in Jammu and Kashmir State but only 35 were accepted as the rest failed to provide the necessary evidence in support of their claims.

Mr. Speaker: How long is the statement?

Shri Mehr Chand Khanna: Only another three-fourths of a page. It is just less than two pages.

Mr. Speaker: Nobody is interested He may place it on the Table of the House.

Shri Mehr Chand Khanna: I lay it on the Table of the House. [*See* Appendix IV, annexure No. 50.]

12.13 hrs.

PAPERS LAID ON THE TABLE

KHADI AND VILLAGE INDUSTRIES COMMISSION (AMENDMENT) RULES

The Minister of Industry (Shri Manubhai Shah): Sir, I beg to lay on the Table the document in item (3) of the Order Paper.

Mr. Speaker: The hon. Minister must read it out. It is only one item.

Shri Manubhai Shah: I beg to lay on the Table a copy of the Khadi and Village Industries Commission (Amendment) Rules, 1961 published in Notification No. G. S. R. 1053 dated the 26th August, 1961, under sub-section (3) of section 26 of the Khadi and Village Industries Commission Act, 1956. [*Placed in Library, See* No. LT-3193/61.]

ANNUAL REPORT OF EMPLOYEES' STATE INSURANCE CORPORATION AND COAL MINES (AMENDMENT) REGULATIONS

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): I beg to lay on the Table a copy each of the following papers:

(i) The Annual Report of the Employees' State Insurance Corporation for the year 1960-61, under section 36 of the Employees' State Insurance Corporation Act, 1948. [*Placed in Library, See* No. LT-3192/61]

(ii) The Coal Mines (Amendment) Regulations, 1961, published in Notification No. G.S.R. 1014 dated the 5th August, 1961 under sub-section (7) of section 59 of the Mines Act, 1952. [*Placed in Library, See* No. LT-3195/61.]

Shri Tangamani (Madurai): About the Annual Report of the Employees' State Insurance Corporation for the year 1960-61, we would like to know when the statement of accounts and also the Audited accounts will be submitted. Formerly, they were submitted after two years. You were pleased to direct that the Annual report may be submitted and there will be an indication when the Audited accounts will be submitted. I would like to know when the Audited accounts will be submitted.

Shri L. N. Mishra: I cannot say precisely. This question was raised some time back also in this House. We got it examined by the Corporation which is a statutory body. They said that this report should be placed before the House and the Audited accounts will follow.

12.14-30 hrs.

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:-

"In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 4th September, 1961, agreed without any amendment to the Newspaper (Price and Page) Continuance Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 31st August, 1961".

12.14-45 hrs.

LEAVE OF ABSENCE

Mr. Speaker: I have to inform the House that the Committee on Absence of Members from the Sittings of the House in their Twenty-fifth Report have recommended that leave of absence be granted to the following 12 Members for the periods indicated against each:

1. Shrimati Ila Palchoudhuri	28th March to 5th May, 1961 (Thirteenth Session).
2. Shri Mandali Venkata Krishna Rao	14th February to 7th April, 1961 and 13th April to 5th May, 1961 (Thirteenth Session).
3. Shri N. K. Sanghi	30th March to 21st April, 1961 (Thirteenth Session).
4. Shri Kansari Halder	14th March to 5th May, 1961 (Thirteenth Session).
5. Shri L. Elayaperumal	18th April to 5th May, 1961 (Thirteenth Session).
6. Shri S. C. Choudhury	7th August to 25th August, 1961 (Fourteenth Session).
7. Her Highness Maharani Vijaya Raje Scindia of Gwalior	7th August to 8th September, 1961 (Fourteenth Session).
8. Shri Balasaheb Salunke	7th August to 25th August, 1961 (Fourteenth Session).
9. Thakore Shri Fatehsinhji Ghodasar	7th August to 23rd August, 1961 (Fourteenth Session).
10. Shri K. Ashanna	7th August to 31st August, 1961 (Fourteenth Session).
11. Shri A. Doraiswami Gounder	21st August to 5th September, 1961 (Fourteenth Session).
12. Shri Kamal Narayan Singh	7th August to 8th September, 1961 (Fourteenth Session).

I take it that the House agrees with the recommendations of the Committee

Hon. Members: Yes.

Mr. Speaker: The Members will be informed accordingly.

12.15 hrs.

RELIGIOUS TRUSTS BILL

APPOINTMENT OF MEMBERS TO JOINT COMMITTEE

Shri Radhelal Vyas (Ujjain): I beg to move:

"That Shri Chandramani Lal Choudhry be appointed to the Joint Committee on the Religious Trusts Bill, 1960 in the vacancy caused by the death of Shri Bholi Sardar."

Mr. Speaker: The question is:

"That Shri Chandramani Lal Choudry be appointed to the Joint Committee on the Religious Trusts Bill, 1960 in the vacancy caused

by the death of Shri Bholi Sardar."

The motion was adopted.

Shri Radhelal Vyas: I beg to move:

"That this House recommends to Rajya Sabha that Rajya Sabha do appoint a member of Rajya Sabha to the Joint Committee on the Religious Trusts Bill, 1960 in the vacancy caused by the resignation of Shri Harihar Patel from Rajya Sabha and communicate to this House the name of member so appointed by Rajya Sabha to the Joint Committee."

Mr. Speaker: Motion moved:

"That this House recommends to Rajya Sabha that Rajya Sabha do appoint a member of Rajya Sabha to the Joint Committee on the Religious Trusts Bill, 1960 in the vacancy caused by the resignation of Shri Harihar Patel from Rajya Sabha and communicate to this House the name of member so appointed by Rajya Sabha to the Joint Committee."

Shri T. B. Vittal Rao (Khammam): Why this hurry? That committee is not at all meeting.

Shri Mohammed Imam (Chitaldrug): It is now nearly one year since the committee was appointed. There is so much of delay. How much time will be taken before any final conclusion is reached?

Mr. Speaker: We are not going into that detail. The only questions is, the hon. Member has resigned, when the House is sitting, why should we not fill it up? It may take some more time if it has already taken time.

Shri Ranga (Tenali): They have asked for extension of time.

Shri T. B. Vittal Rao: Is it a functioning committee?

Mr. Speaker: The question is:

"That this House recommends to Rajya Sabha that Rajya Sabha do appoint a member of Rajya Sabha to the Joint Committee on the Religious Trusts Bill, 1960 in the vacancy caused by the resignation of Shri Harihar Patel from Rajya Sabha and communicate to this House the name of member so appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

12.18½ hrs.

BUSINESS OF THE HOUSE

Mr. Speaker: Allocation of time for Legislation and other business—further consideration. I read it out yesterday. Have any hon. Members got any submission to make?

Shri Tangamani (Madurai): I am not directly dealing with this particular thing. I would like to make a submission. In the Business Advisory Committee, we used to take up various Bills and certain motions. During the first week itself of this session, we were told that the Banaras Hindu University Bill will be taken up for consideration and it will be referred to a Select Committee and the Select Committee will have to report before the end of this Session itself. Somehow, that Bill has not been taken up at all. My submission is that when matters come up to the Business Advisory Committee for allocation of time, they must also take this into consideraion. The other one was about the U.P.S.C. report.

Mr. Speaker: I may cut short the submission. Hon. Members will kindly make a distinction between the Report of the Business Advisory Committee and the statement of the work for the next week, which is communicated to the House every Friday by the Minister of Parliamentary Affairs.

[Mr. Speaker]

The Business Advisory Committee has no jurisdiction to say 'You must bring up this matter, and you cannot bring up the other matter'. The Business Advisory Committee only advises, and decides on the allocation of time as far as the official business is concerned. As to what should be brought up before the House, it is for Government to decide, and if any hon. Member wants to make any suggestion, he can do so on the day when the hon. Minister of Parliamentary Affairs announces the business.

Any how, the hon. Member has made a suggestion now, and the hon. Minister of Parliamentary Affairs will note it, and if there is yet time, he may try to include it, but so far, there does not seem to be any time, because we have just been searching for time.

Shri H. N. Mukerjee (Calcutta—Central): A very intriguing situation has developed during this session, because on the very first day, on the agenda itself, a Bill was put down, but it has not been taken up during the five or six weeks that we have been sitting, and no explanation has been given by Government. I understand that the Business Advisory Committee only allocates time, but surely it has to consider the subject-matter and then allocate time accordingly. It is rather unfair to the Business Advisory Committee and to the House to announce a matter to be taken up on the first day of the session and not to bring it up till the very last day of the session.

Mr. Speaker: I can only say this again to the hon. Member. The statement of business for the next week was communicated to the House by the hon. Minister of Parliamentary Affairs, last Friday. The hon. Member or any Member from his party could have made this suggestion at that time.

I would also like to say another thing. We spend so much time in the Business Advisory Committee to decide about allocation of time, but I find that hon. Members are not present always; I do not now remember whether a spokesman from the hon. Member's party was present or not.

Shri Tangamani: I was there.

Mr. Speaker: But he did not raise this matter there. If he had raised it, I could have asked the Minister of Parliamentary Affairs then and there. It is no good taking the House or me by surprise now

Shri T. B. Vittal Rao (Khammam): No, the point is this.

Mr. Speaker: I am certainly going to allow any reasonable demand and any expression of view on this matter. I am not in a position to say anything now. So, what is the use of spending any more time on this now?

Shri Tangamani: I crave your indulgence for one more minute.

Mr. Speaker: He wants to make another suggestion of this kind?

Shri Tangamani: No. I want to make a submission on another matter connected with this.

Mr. Speaker: I am sorry. If it relates only to the question of allocation of time, I am prepared to hear him.

Shri Tangamani: There was a Bill which was taken up and which was part-heard....

Mr. Speaker: Let it be part-heard or otherwise. I am not going to allow this kind of discussion now. Each has got its own place. The hon. Member has already lost two chances. What is the meaning of taking up the time of the House in this manner?

Shri Braj Raj Singh (Firozabad): I want to make one submission. In fact, I objected yesterday, and I was just requesting you to consider how we could go through all this business by the end of the session. We are adjourning on the 8th instant.

From the papers which have been circulated to us, it is not yet known when the motion which you had agreed

to bring up before the House, namely the motion regarding the entry of Britain into the European Common Market, is coming up. As it is, we cannot perhaps finish the business which is before us by the 8th instant. I find that the hon. Minister of Parliamentary Affairs is not here, but I would like to know how we are going to finish all these items, if we agree to the proposals of the Business Advisory Committee with regard to allocation of time, before we adjourn on the 8th instant.

Mr. Speaker: The allocation of time is different from saying what ought to be taken up here. You may fix up time now for various items, but all those items may not be gone through now.

Now, does any hon. Member have any objection to this allocation of time?

Dr. Krishnaswami (Chingleput): I would like the time allotted to the Deposit Insurance Corporation Bill to extended by one hour more.

Mr. Speaker: The hon. Member wants the time to be increased from 3 to 4 hours. I can always allow one hour more. Does he want that to be included here, or is it enough if I exercise my discretion?

Dr. Krishnaswami: As you please.

Mr. Speaker: Very well, I shall allow one hour more. Let it become part of this allocation. Let the allocation of time for this Bill be increased from three to four hours.

I suppose this allocation of time meets with the approval of the House.

Hon. Members: Yes.

Mr. Speaker: Now, we shall proceed with the next item.

So far as the discussion regarding the European Common Market is concerned, hon. Members have been very anxious about it. I think we have indicated about this in the Bulletin today.

Today is Tuesday. We have three more days left. Tomorrow, what is the item that we have got?

Shri Braj Raj Singh: Tomorrow, we are having consideration of the motions for modifications of the Mineral Concession Rules, tabled by Shri Vidya Charan Shukla.

Mr. Speaker: What about the day after tomorrow?

Shri T. B. Vittal Rao: On the 7th, we are having the discussion on the production and supply of coal in the country.

Mr. Speaker: So, I shall have this discussion on the European Common market on Friday, the 8th instant.

Shri Tangamani: Betwen 12 noon and 2-30 p.m.

Shri Naushir Bharucha: (East Khandesh): Let us have it on Friday morning.

Shri Braj Raj Singh: That means that we shall have only about two hours on that day for this discussion.

Mr. Speaker: May I ask the Finance Minister whether it is convenient for him to have the discussion on the European Common Market on Friday?

The Minister of Finance (Shri Morarji Desai): I understand that it has already been put down for the 8th instant. That is what I am told.

Mr. Speaker: It shall be put down in the Official Business.

Now, the allocation of time is agreed to by the House, with the modification that has been made.

12.26 hrs.

INDIAN RAILWAYS (AMENDMENT) BILL—*contd.*

Mr. Speaker: The House will now resume further consideration of the following motion moved by Shri S. V.

[Mr. Speaker]

Ramaswamy on the 4th September, 1961, namely:—

"That the Bill further to amend the Indian Railways Act, 1890, as reported by the Select Committee, be taken into consideration.".

Shri Braj Raj Singh, who was in possession of the House, may kindly continue his speech now. The time allotted for this is 5 hours. The time taken so far is half an hour. I would like to know from hon. Members how they would like to distribute the time as between the general discussion and the clause-by-clause consideration and the third reading.

Shri Naushir Bharucha (East Khandesh): Let us have 4 hours for the general discussion and 1 hour for the clause-by-clause consideration and third reading.

An Hon. Member: I think this will collapse.

Mr. Speaker: We have got a half-an-hour discussion also today at 5 P.M. Why not finish this business today itself?

Shri Braj Raj Singh (Firozabad): We may able to finish it even earlier.

Mr. Speaker: Let us sit till 6 P.M. today and finish this today.

The Minister of Railways (Shri Jagjivan Ram): If necessary.

Shri Naushir Bharucha: I do not think it will take five hours. It may not take so much time.

Shri Braj Raj Singh: It will take only three hours.

Mr. Speaker: As soon as this Bill is concluded today, the half-an-hour discussion will take place.

How is the time to be divided between the general discussion and the clause-by-clause consideration?

Shri Naushir Bharucha: Let us have one hour for the clause-by-clause consideration, because the amendments are very few in number.

Mr. Speaker: So, let us have 4 hours for the general discussion and 1 hour for the other stages.

श्री ब्रजराज सिंह : अध्यक्ष महोदय, मैं कल निवेदन कर रहा था कि रेलवे को माल ढोने के सम्बन्ध में अपनी सारी जिम्मेदारियां अपने ऊपर लेनी चाहियें । जहां मैंने कहा कि यह बिल जो लाया जा रहा है वह स्वागत करने योग्य है, वहां उसी के साथ साथ मैं कुछ ऐसी बातों की तरफ रेलवे मन्त्रालय का ध्यान दिलाना चाहूंगा जो आज भी रेलवे की तरफ से हो रही हैं, और जनता को, जो कि रेलवे को अपना माल ढोने के लिये सुपुर्द करती है, उसे दिक्कतें उठानी पड़ रही हैं ।

अक्सर देखा जाता है कि रेलवे के विभिन्न स्टेशनों पर कुछ एजेन्ट रहते हैं जो जनता और रेलवे के अधिकारियों के बीच में सम्पर्क कायम करते हैं, और इस के लिये वे कुछ पैसा चार्ज किया करते हैं । रेलवे जो एक सरकारी विभाग है, सरकार की तरफ से चलाई जा रही है, इसलिये उस में कोई इस तरह की आवश्यकता नहीं रहनी चाहिये कि बीच में कुछ लोग जनता और रेलवे में सम्पर्क कायम करने के लिये आयें और इसके लिये कुछ पैसा चार्ज करें । मैं आशा करूंगा कि रेलवे मन्त्री इधर ध्यान देंगे तथा यह प्रयत्न करेंगे कि इस तरह के लोग जहां जहां हों और जहां जनता को उनकी वजह से मुसीबतें उठानी पड़ती हों वे सब दूर हों ।

इसी सन्दर्भ में मैं एक और बात निवेदन करना चाहता हूं । जब माल ढोने की बात चल रही है और रेलवे अपने ऊपर उसकी जिम्मेदारी ले रही है तो यह भी ध्यान रक्खा जाना चाहिये कि तृतीय पंचवर्षीय योजना के अन्तर्गत विकास कार्यों की वजह से

जो माल ढोने का वाल्यम पैदा हो रहा है, उस माल को ढोने की क्षमता भी रेलवे में होनी चाहिये, यद्यपि रेलवे मन्त्री महोदय की तरफ से बार बार यह बात कही गई है कि रेलवे की क्षमता को बढ़ाने के लिये सम्भवत: उन का पूरा धन नहीं दिया जा रहा है । तो भी हो सरकार की यह अपनी बात है । जनता के एक प्रतिनिधि की हैसियत से हमें उससे कोई विशेष मतलब नहीं है । लेकिन मैं चाहूंगा कि जो आवश्यकता की चीजें हैं उन्हें एक जगह से दूसरी जगह ढोने के लिये रेलवे में पूरी क्षमता होनी चाहिये । कभी कभी कोयला ढोने की दिक्कत आती है । एक जगह पर कोयला जमा पड़ा रहता है और दूसरी जगह रेलवे उसे पहुंचा नहीं पाती है । इंडस्ट्रीज़ बन्द हो जाती हैं, मजदूर बेकार हो जाते है और इस तरह से बहुत विकट परिस्थिति पैदा होती है, जिस की रेलवे को जिम्मेदारी ओढ़नी चाहिये । मैं समझता हूं कि भारतवर्ष की रेलवेज़ इस तरह के कदम उठायेंगी जिससे कहीं पर कोयले का स्टाक जमा होने न पाये और उस स्टाक के एक जगह पर जमा होने की वजह से तथा जहां आवश्यकता है वहा न पहुंचने की वजह से लोगों को दिक्कत न हो ।

इसी तरह सीमेंट का सवाल है, दूसरे माल हैं जिन के ढोने की जिम्मेदारी रेलवे पर है परन्तु वह उसे ढो नहीं पाती है । मैं आशा करूंगा कि रेलवे मन्त्री महोदय इस तरफ ध्यान देंगे फ़ौर उन दिक्कतों को दूर करने के लिये जो यह बिल पेश किया जा रहा है, उसके अनुसार ऐसे कदम उठायेंगे जिससे इन दिक्कतों के कारण जनता के मार्ग में कोई कठिनाई न रह जाये ।

Shri Aurobindo Ghosal (Uluberia): This Bill is to implement the recommendations of the Railway Freight Structure Committee of 1956-57. It has been stated in the Statement of Objects and Reasons that the responsibility of the railways as carrier of animals and goods as a bailee is being widened. In clause 73 certain exemptions have been mentioned. The clause says:

> "Save as otherwise provided in this Act, a railway administration shall be responsible for the loss, destruction, damage, deterioration or non-delivery, in transit, of animals or goods delivered to the administration to be carried by railway arising from any cause except the following, namely:
>
> (a) act of God;
>
> (b) act of war;
>
> (c) act of public enemies.....".

The last term is very wide in scope. Railways may repudiate a claim on the ground of running train theft. It is very difficulty to establish running train theft. It may be included under the term of 'act of public enemies'. (*Interruptions*). When dacoits take away the goods from a train, it may be termed as an act of public enemies. So this gives very wide powers to the railways for repudiating claims.

There is another point as regards giving notice. In page (vi) of the Report of the Select Committee, we find the following under clause 13(ii):

> "The Committee feel that in order to avoid hardship to the claimants asking for refund of overcharge, compensation for losses etc., it should be provided in the proposed new section 78B that any communication in writing, in respect of their claims, sent to the railway administration by the claimants within the prescribed period of six months, should be treated as claim for compensation".

This is a good provision, no doubt. But what happens is that it is very difficult for the small traders dealing in vegetables, fish or eggs to give notices individually. Naturally they send their claims in lump to the

[Shri Aurobindo Ghosal]

claims agents. These claims agents give notice to the railways. Under section 77, the railways always repudiate the claims sent by the claims agents and not by the consignees themselves. I know that in this way on the South-Eastern Railway claims worth several lakhs of rupees have not yet been settled, and these have been pending for years together. Not only that. Different procedures are followed by different railways. Notices which are being accepted by the Eastern Railway are not being accepted as legal notices by the South-Eastern Railway. I pointed out this anomaly to the Manager of the South-Eastern Railway. He admitted the fact of the claims being repudiated on the ground that the notices were not sent by the consignees themselves according to the orders of the Railway Board. But when it was asked whether there was really any order of the Railway Board to that effect and if that was so, why the Eastern Railway was accepting such notices, it was found that different procedures were being followed. He was asked why the same procedure should not be followed by both the railways. Then he ordered payment to the small traders. The Railway Board also issued orders to pay the claims of small traders, extending the time of limitation. But even now claims worth several lakhs of rupees are being delayed on the selfsame ground which has already been rejected by the Railway Board in their orders.

12.36 hrs.

[Shri Mulchand Dube *in the Chair*].

These are the difficulties being faced by the small traders as regards notices. I suggest that a uniform procedure should be followed in all the railways. When power of attorney is given by the small traders to the claims agents, claims filed by these agents on behalf of the small traders should be considered as legal claims and should be paid by the railways.

The next point is regarding intimation to the consignee after the arrival of the goods if the goods do not reach destination on probable date. This is another difficulty. Already notice has been provided for, but the difficulty is that when on the probable date of arrival of the goods the consignee goes to take delivery and does not find the goods there, he shall have to come every day after that. So some provision should be made to give notice to the consignee who does not get the goods on the probable date. Otherwise, he will have to come to the station every day to check up whether the goods have arrived. Sometimes if he is absent for three or four days and comes on the fifth day, what happens is that he is informed by the railway authorities that the goods have been sent to the 'lost parcel office' or he is asked to pay demurrage for retention of the goods in the railway godowns. To avoid all this difficulty, some provision should be made to give notice to the consignee who does not get his goods at all on the probable date.

12.38 hrs.

[Shrimati Renu Chakravartty *in the Chair*]

Another provision made, to which I would like to draw attention, in clause 14, relates to cause of action in a suit for compensation for loss of the life of, or personal injury to, a passenger or for loss, destruction, damage, deterioration or non-delivery of animals or goods that may be instituted. Where will the cause of action arise? Previously, it was at the originating station or at the destination station or where the head office lies. Now it has been changed to only the destination station. All the destination stations on the Eastern and South-Eastern Railways lie within the jurisdiction of the Howrah Court. All the innumerable cases are being filed

in the Howrah Court because it is the court situated within the destination station. As a result, the cases are not being properly attended to by the lawyers. The number of cases is so many that the railway lawyers are unable to cope with it. If the hon. Minister deputes an officer to see how the cases are being dealt with there, he will find that the lawyers and clerks do not know what are the cases which are pending before the Howrah Court. All the cases have been transferred to the Howrah court, because all the destination stations of the South-Eastern Railway and the Eastern Railway are within the jurisdiction of the Howrah court. That is the difficulty. If the case is filed where the head office is situated, then, of course, the cases would be divided and filed in 24 Parganas or in Calcutta in the small cause court or the city court.

Then, clause 21 says:

"After section 138 of the principal Act, the following section shall be inserted, namely:—

'139. Entries in the records or other documents of a railway administration shall be admitted in evidence in all proceedings by or against the railway administration, and all such entries may be proved either by the production of the records or other documents of the railway administration containing such entries or by the production of a copy of the entries certified by the officer having custody of the records or other documents under his signature and stating that it is a true copy of the original entries and that such original entries are contained in the records or other documents of the railway administration in his possession."

In most cases we find that after 5 or 6 years, when the claims cases are taken up and contested by the parties and the railways, some records are missing. The railways get defeated in most cases because of want of records. They cannot produce the original records. I submit that if the original delivery books or other original records which they are bound to produce under the Evidence Act are not produced and if a certified copy of the entries in the original records, certified by a railway officer, is taken in the court of law as true, then injustice will be done to the businessmen and the traders. If the entry in the original delivery book or the original telegram containing messages sent by the stations to the forwarding stations as soon as the loss is detected or other original documents cannot be produced by the railway, only certified copies should not be taken as documents of sufficient legal validity, for avoiding liability which the railways should have taken if this provision had not been there. This is another difficulty which I would like to point out.

Lastly, I would like to point out how the claims are being dealt with. All the claims agents' offices are being run by retired railway officers who were specially appointed in the legal department of the railways. In Calcutta, I know about 90 per cent of the claims agents' offices are run and owned by retired railway officers who used to serve in the law offices of the railway. As soon as a railway officer is discharged from the railway claims office, he opens a claims agent's office. All the cases are sent to him by the businessmen, because they think that if he approaches the railway officers who were junior to him in service, certainly those claims will be attended to and even where there is very little chance of getting the claims paid through courts, they will be paid by the influence of these officers.

In Howrah courts, out of 1000 cases, 800 cases are being pleaded by one retired law officer of the Eastern Railway. After retirement, he has taken all the cases against the railways, because he happened to be the law officer of the Eastern Railway. I

[Shri Aurobindo Ghosal]

have no personal grudge against him, but this sort of thing shows that he exercises some influence over the railway officials or he can have access to some of the secret documents, which are not available to the ordinary lawyers. That is the reason why these retired railway law officials get so many claims cases. I suggest that some steps should be taken to stop this practice.

Dr. K. B. Menon (Badagara): Mr. Chairman, I wish to devote the time at my disposal to discuss the failure of the Government to implement the recommendations of the Railway Freight Structure Enquiry Committee. The Statement of Objects and Reasons of the Bill says that this Bill is introduced to transfer the responsibility of the railways as carriers of goods and animals, which is at present that of a bailee, to that of a common carrier. I am sorry that the Bill, as it has emerged from the Select Committee, with dissenting minutes, has not achieved this objective.

The Railway Freight Structure Enquiry Committee was very categorical and insistent on its recommendation. As far as I can judge from the report, there are three reasons adduced by the committee for this change-over of responsibility of the bailee to that of a common carrier. The first and primary reason, as I understand it, is a change in the political status of the country and secondly the responsibility of the Government to the public. The Railway Act of 1890 was passed at a time when the railways in India were owned and operated by a British company primarily for profit. Under the present conditions, after we became free, railways in India is a Statelowned institution, operated in the interests of the public.

By this I do not mean to suggest that a public utility can or should be run at a loss. No public utility can be be run at a loss, but it does not mean, at the same time, that a public utility should have primarily an eye on profits. The Railway Freight Structure Enquiry Committee, if I may quote from my memory, say that they are of the opinion that it is inevitable at some stage or other for the railway administration to bring it in conformity with the administration of railways outside the country by accepting the responsibilities of a common carrier they are also of the opinion that this bold step of accepting the responsibilities of a common carrier alone can satisfy their demands.

I also find from the report that the committee was quite aware of the limitations and the difficulties of the railways in making this change-over. The committee says that it is largely due to the large-scale pilferage in the railways, to the long haulage and also due to unsatisfactory packing. In regard to the last, I understand from the minutes of the Select Committee that there is now a standard packing, and that the problem now does not arise. As for pilferage, it is certainly a standing grievance, and Government should have taken early steps to correct that situation, and the steps they have taken, as far as I know, have not been very successful.

The committee also points out that if the Government is to accept this new responsibility of a common carrier, they will have to incur heavy expenses in tightening the administration, and in widening the organisation. In spite of the fact that the committee was aware of all these difficulties, it fixed even a timelimit for this change-over, and said that the Government should effect this change-over within a year of the bringing into operation of the suggested increase in the freight rates. This Bill has failed to achieve that.

The second reason, I believe, that prompted the committee to recommend this change-over is the demand from the public—consignors as well as consignees. The committee report says that the public are particular of the safety of the goods consigned, and also of quick delivery. They add that the public are not diffident to pay enhanced rates, if necessary. They are not grumbling at the rates, and therefore the committee says the added income may help the Government to make this change-over.

We know from the minutes of the Select Committee what charges were levelled against the railways by the witnesses—charges that there is deliberate neglect even when mistakes brought to the notice of the authorities, that there is harassment by delaying the settlement of claims unless they are taken to a court of law, and that there is also deliberate delay in the delivery of goods by side-shunting of the wagons in the yard. They point out from their records that sometimes the settlement of claims has taken four, five and six years. They also point out from records that sometimes for 40 to 47 days wagons are side-shunted without even informing the consignee.

These are very serious charges that are levelled against the railways. It is in order to get over some of the difficulties that the consignors and consignees face that it is suggested that this change-over of the responsibility from that of the bailee to that of the common carrier be effected.

The third reason that the committee urges is the general trend in the road transport service. The committee probably visualises an increase in this competition, and a transfer of business from the railways to the road transport concerns. I do not know much about the situation in North India, but I know that in South India in most of the States there are networks of road transport services, parcel services. The efficient T.V.S. service in Madras, the S.R.V.S., and the M.B.T. service are all State and also inter-State services. These services take charge of goods at the door of the consignor, deliver them even in remote villages at the door of the consignee. They do not insist on meticulous packing, their charges are very reasonable, and the goods are generally delivered in good condition. The railways have to meet this competition and the demand of the public for quicker service, for safer service and at an economical rate.

I was skipping through a multigraph report of a sub-committee of the Planning Commission—the committee on road transport policy and co-ordination. That report points out that from Ambala to Delhi most of the sugar, gur, fruits and other commodities are moved by the road transport services. From Calcutta to Bombay, coke and coal are largely transported by them. From Bombay to Bangalore, textiles and many other goods are transported by road. From Madras to Bangalore, provisions are the exclusive monopoly of these road transport services. Textiles and some other commodities also move that way. The report of that committee gives ample figures which make one believe that the competition is not something that is to be ignored. It is obvious from all these facts that unless the railways are prepared to meet the demand of the public for safe and quick service at a reasonable rate, the railways are bound to lose business. We are still short of trucks, we have still to pay fairly heavy prices for petrol, and our roads are not yet very good, but as soon as the national highways are completed and as soon as our resources in petrol improve, this competition is bound to get more and more intense.

13 hrs.

I would like to submit also that the Bill, though it accepts the principle of change-over, does not go the whole hog. The common carrier is an insurer whereas a bailee is only a

[Dr. K. B. Menon]

custodian of goods and is expected to use only reasonable precautions. According to the principle in the British Railway Act of the common carrier who is an insurer of goods, only two conditions are imposed, namely an act of God and an act of public enemy. Here we have seven more exceptions, and most of the exceptions are meant to save the responsibility of the railways for damages for which the railways themselves are liable under the ordinary laws. That has been pointed out in the dissenting minute of Shri Bharucha, and Shri Yadev and other dissenting minutes; they directly point to the fact of the policy of the Government to accept this responsibility. I do not see what the difference is between an act of war and the act of a public enemy. There was some discussion on this subject in the Select Committee. I think that there is overlapping in the conditions and they may be worthwhile revising. In view of the reasons given by me even if the Government are not prepared to accept the sole responsibility of a common carrier as accepted in W.R. and W.S.A. I hope the Government will avail of the first opportunity to amend the Bill further and accept the sole responsibility of a common carrier as that of an insurer.

Shri Naushir Bharucha: Having listened carefully to the speeches of hon. friends who spoke before me, I may say that while I quite appreciate the fact that the Bill does not go the whole way, it has considerably improved on what the position was prior to the Bill. It is true that there has been a basic change in the nature of liability so far as the railways are concerned. We have definitely shifted from the liability of a bailee which, as my hon. friend Dr. Menon pointed out, is no more than the responsibility of a reasonable and prudent man to take care of the goods of others left in his custody as he would take care of his own goods. It is comparatively a low standard of care required of a person. The railway so far has been exercising that much care and no further with the result that on many occasions where obviously the railway was at fault the consignor or the consignee of the goods could not get their claim. I remember in the very early years of my practice I used to file claims against the railway where the consignee's goods had caught fire on account of sparks emanating from shunting engines. That used to be a very common cause of fire and still whenever the consignment was at the railway's risk, the railways managed to evade the responsibility. Now we have shifted very much from that position and we have got this section 73 which largely eliminates the past position and definitely gives a better deal to the consignor. I agree with my hon. friend that it does not go the whole way because the responsibility which they are assuming is of a carrier and not that of an insurer. The insurer is liable irrespective of whose fault it is. Here we are not assuming that liability. I still say that I am in general agreeement with the Bill because it is a big step forward towards the goal to which we are aspiring to move and let us take that this is a transitional stage. After experience and after seeing how the Act works in practice, maybe there will be another Bill tightening up more the responsibility of the railways and we are certainly looking forward to that time.

If we examine the basic section 73, clause 13 it will be seen that Parliament has imposed the responsibility for loss, destruction, damage, leterioration or non-delivery, in transit, of animals or goods delivered to the administration to be carried by railway except in certain cases. I do not approve of some of the exceptions mentioned there. Take, for instance, exceptions (f) and (g): (f) deals with acts of omission or negligence by the consignor or consignee. It has been our common experience that when a consignee

applies for the delivery of his goods and produces the railway receipt, the parcel clerks, just to obviate the trouble of finding out where the consignment is, tells the consignee that the goods have not arrived though the parcel may be lying in some corner of the platform. One does not know. It may be detained a station ahead and the parcel may not be traceable. In the meantime, one month passes. What has happened in the interval nobody knows, except the Railway Administration.

13.06 hrs.

[MR. SPEAKER *in the Chair*]

At the same time you will observe that under section 77 it has been provided that the railways shall be responsible only as a bailee for the loss, destruction, damage, deterioration or non-delivery of goods carried by railways within a period of thirty days after the termination of transit. Now, if the party is told, after the goods had arrived at a particular destination, that the goods have not arrived and a month elapses, then the character of the railway liability changes fundamentally. After one month from the arrival of the goods, the railways become responsible only as a bailee and the former position is restored. We have been told that it is not difficult for consignees to obtain information about the arrival of the goods. Maybe, it is so; maybe, it is not so. We are told that in the cities, consignees are informed over the telephone. I do not know whether it is a fact. But I have noticed several cases where the consignees have been deliberately told that the goods have not arrived and suddenly they are confronted with a notice: you have not taken delivery of the goods: the goods are lying on the platform for more than a month. I, therefore, submit that exception (f) which releases the railways from the responsibility as a carrier requires to be carefully looked into.

Again, where the goods are of a character which suffer from natural deterioration or wastage in bulk or weight due to inherent defect, quality or vice of the goods, there also the liability of the railways has been toned down. It has been our experience that in numerous cases where goods are consigned in gunny bags, hessian bags—for instance, sugar or foodgrains—the bags are delivered in a slack condition. Then the question arises: who is responsible for the short delivery of the goods? Clause (g) of section 73 releases the railways from that responsibility. I submit that this ought not to be so. Otherwise, in a number of cases of consignments the railways will very easily evade their liability because the delivery of slack bags are duly covered. I submit that this requires to be tightened up immediately.

I am not against the incorporation of certain other exceptions. Take for instance (e): 'orders or restrictions imposed by the Central Government for a State Government....' what can the railways do about it if the goods are seized by the legal process? These words may have to be kept. I am sure that the two clauses in particular, to which I have drawn attention, could be so recast that the railways do not escape their liability lightly. But on the whole, I still say that I welcome this measure as it marks a big step forward in the position which the railways have so far assumed and for which they are responsible.

There is another section to which I have drawn attention in my minute of dissent: the question of disposal of perishable goods in certain circumstances. It has been our experience that often entire wagons of perishable goods, such as vegetables, are transported daily and in Bombay city we find an auction sale is daily held of goods of which the consignees are not available or not present to take delivery. Vegetables or other perishable goods are sold off practically at a value next to nothing. There is a regular gang of persons who make it a business to buy them in these auctions

[Shri Naushir Bharucha]

and then sell them in the vegetable market. Here, section 56 says as follows:

> "Where by reason of any flood, land-slip, breach of any line of rails, collision between trains, derailment of or other accident to a train . . ." etc.

So, in such cases where there is no likelihood of early resumption of traffic or of any reasonable diversion of traffic, then, the railways are entitled to auction the goods; they will charge for the goods up to the point where they have been transported and pay back the balance, to the consignor if there is any balance left. Usually, there is no balance left. My objection is to the "collision of the trains or the derailment and other accidents". These words which have been put in, will release the railways from the responsibilities attached to them. The collision of trains can only take place on account of negligence on the part of the railways or the railway servants or the railway administration generally. I am of the opinion that wherever there is collision between trains or derailment or breach of a line, there should be a presumption of negligence against the railway. Trains do not just collide like that. unless there has been negligence on the part of the railways. But what this particular section does is, it excludes the liability of the railways even where negligence of the railways is at the bottom of it. Trains collide as a result of negligence of the railways, and the consignment of perishable goods is detrained at a spot somewhere, and then it is auctioned, and I, the consignor, am told that I cannot get anything! Why? Because the trains have collided. And this section has provided that the railway is entitled to auction the perishable goods. Perishable goods from a huge or substantial portion of the goods carried by the railways. It is not a small thing. Crores of rupees worth of perishable goods pass over the railways in the course of a year. Therefore, I am of the opinion that—I have mentioned this in my Minute of Dissent—this requires to be recast so as to read: "Where by reason of any flood, land-slip, or any other cause, beyond the control of the railway administration, the traffic on any route is interrupted," etc. This means that calamities like floods, land-slips, etc., are beyond the control of the railway administration. Where an emergency of that character occurs. certainly the railways can be excused. Otherwise, in this section, one feels that an attempt is being made by the railways to cast off the responsibilities as much as they can, while all the time they profess that they have assumed a greater degree of responsibility than that of a mere bailee.

Before I conclude, I should like to mention one point, and that is the way in which compensation claims are settled. I think that the railways should lay down—I do not know whether they have already laid down—certain governing principles for immediate settlement of small claims. There are small claims which are not worth pursuing and considerable injustice is being done to the public, particularly to the poorer people in this connection. Here, there is one aspect of the matter which I can understand. Some officers are reluctant to settle such claims because they feel that they will be charged with corruption in settling the claims without proper enquiry and so on. I think a certain amount of discretion must be left with the officers, and they should be asked to settle the claims straightway in cases where the claims are under a particular amount which may be found reasonable. That will give relief to people who may be very poor and who cannot afford to settle the claims in courts of law.

Secondly, as Shri Aurobindo Ghosal pointed out, there is a ring of people carrying on business under the guise of their being claims settlers or agents I do not know what authority in law they have for acting on behalf of

others. Of course, if they hold a power of attorney that may be permitted. But I would like the hon. Minister to look into this more carefully, namely, to see whether a closed preserve of vested interests is not cropping up. There may be people who had been Government servants, and who had served in some claims and compensation departments, and who, after retirement, don another cap and come out as claims agents. I think this aspect of the matter requires to be looked into, and if necessary legislation is required for this purpose, it should be brought up. We do not desire to stand in the way of people coming out as claims agents, but the best thing that could be done in this regard is to have these people licensed. I would like these people, these claims agents, to be properly licensed. If they are licensed, then possibly we may eliminate one thing, namely, the possibility of influencing officers and obtaining claims where none is due.

On the whole, I welcome the Bill. As I said, it is a Bill which makes considerable progress over the present situation. But, as I said, we are not altogether happy about it, because much requires to be done, and I am treating this as a measure for a transitory stage, so that after experience is gained of the operation of this Act, we would expect the Railway Minister to come once again before us and eliminate those clauses which today appear to take away or detract from those responsibilities which the Railways should have assumed, once the Government say that the Railways have cast off their liability as baliees and have taken up the liability as carriers.

श्री राधेलाल व्यास (उज्जैन) : अध्यक्ष महोदय, जो विधेयक सभा भवन के सामने है, मैं उसका समर्थन कर रहा हूं । यह ठीक है कि माल भेजने वालों और मंगाने वालों को जो दिक्कतें हैं उनको दूर करने के लिये इस बिल में काफी सुधार किया गया है । लेकिन सवाल हमारे सामने जो है वह यह है कि रेलवे प्रशासन को ऐसे कदम उठाने चाहियें जिनसे नुकसान होने की कम से कम सम्भावना हो । कुछ ऐसे कारण हैं जिन की वजह से काफी नुकसान हो जाता है । यह सही है कि इस विधेयक के द्वारा कुछ दिक्कतों को दूर कर दिया जाय, जो लोगों को नुकसान होता था और उसके कारण जो क्षति पहुंचती थी थी शायद उस की पूर्ति कर दी जाय, लेकिन यह काफी नहीं है । अगर माल का नुकसान अधिक होता है तो वह उस माल से सम्बन्धित व्यक्तियों का ही नुकसान नहीं है, बल्कि सारे राष्ट्र का नुकसान है और राष्ट्र की सम्पत्ति का नुकसान है । इसलिये जो भी माल रेलवे के द्वारा लाया जाय या ले जाया जाय, उसको बहुत सुरक्षित रखना चाहिये और उस को नुकसान से बचा कर ले जाने की ज्यादा से ज्यादा व्यवस्था की जानी चाहिये ।

हम किरोसिन आयल के बारे में देखते हैं । पहले रेलवे उसके नुकसान की जिम्मेदारी नहीं लेती थी, और उसमें काफी नुकसान हो जाता था । उस के कारण किरोसिन आयल कम्पनियों को काफी नुकसान उठाना पड़ता था क्योंकि जिन व्यापारियों को यह माल भेजती थीं, उन को उनकी क्षतिपूर्ति करनी पड़ती थी । परन्तु अब मुझे ऐसा मालूम होता है कि रेलवे ने जब से यह नुकसान अपने ऊपर लिया है तब से जो आमदनी उसको उन टिन्स के ले जाने से होती है उस को देखते हुए नुकसान काफी उठाना पड़ता है । टिन्स में जरा भी धक्का लगने से काफी टूट-फूट हो जाती है और किरोसिन आयल बह जाता है । इसलिये माल ले जाते वक्त ऐसे वैगन्स में ले जाना चाहिये जिन में डब्बे टक्कर खाकर बहुत टूट फूट न जायें और रेलवे का नुकसान कम हो । नहीं तो यह नुकसान तो होगा ही, उससे सारे देश की हानि है । केवल यही नहीं है कि वह सम्बन्धित व्यक्तियों या रेलवे को ही है ।

इसी तरह से जब माल वैगन्स से उतारा जाता है तो उसके लिये जो मजदूर होते हैं वे

[श्री राघेलाल व्यास]

ठीक तरह से उस को नहीं उतारते हैं और सुरक्षित रूप में नहीं रखते हैं । अक्सर वे उसको फेंक दिया करते हैं, बंडल के बंडल और पारसल के पारसल जिससे टूट फूट बहुत हो जाती है और काफी नुकसान उठाना पड़ता है । उसमें अक्सर ऐसी चीजें होती हैं जो कि कांच की या दूसरी टूटने वाली चीजों की होती हैं । बहुतों में छोटे छोटे पुर्जे होते हैं और वे टूट जाते हैं । यह नुकसान इसलिये होता है कि माल ठीक से नीचे उतारने की व्यवस्था नहीं होती है । कहीं कहीं तो बीच में लाकर मालगाड़ी को खड़ी कर दिया जाता है । न इधर साईडिंग पड़ती है और न उधर साईडिंग पड़ती है, जहां पर गुड्स प्लेटफार्म भी नहीं हैं और बीच में ही माल उतारना पड़ता है । उसमें अक्सर मैंने देखा है कि कुली बुरी तरह से माल को फेंकते हैं । टाइम भी बहुत कम होता है । तो रेलवे को इसकी व्यवस्था करनी चाहिये जिससे कि नुकसान की सम्भावना बहुत कम हो जाए ।

वैस्टर्न रेलवे में इस प्रकार का नुकसान बहुत क्यों होता है इसका पता लगाने के लिये मेरा खयाल है कि एक कमेटी नियुक्त की गयी थी, और जहां तक मुझे मालूम हुआ है उस कमेटी की रिपोर्ट हमारे लिये एक नयी दिशा दिखाने वाली है । उससे यह सिद्ध हुआ है कि जो माल की चोरी होती है और जो नुकसान होता है उसमें बहुत कुछ रेलवे अधिकारियों का और रेलवे से सम्बन्धित व्यक्तियों का हाथ होता है ।

यह कोई नयी बात नहीं है । हम देखते हैं कि हमारे यहां उज्जैन में कोयले की काफी चोरी होती है और इस बारे में बहुत शिकायतें हैं, और रेलवे प्रशासन यह समझता है कि इसको रोकना उसके काबू के बाहर की बात है । उसने इसे रोकने के काफी प्रयत्न किये लेकिन यह चोरी नहीं रुकती । मैं आप से यह निश्चित रूप से कह सकता हूं कि यह चोरी रेलवे के सम्बन्धित व्यक्तियों के और जो निगरानी करने वाले होते हैं उनके सहयोग से होती है । वे अन्य लोगों के साथ मिल जाते हैं और यह चोरी कराते हैं । इससे काफी नुकसान होता है । हम देखते हैं कि हमारे यहां हलवाई वगैरह उस कोयले को काफी खरीदते हैं और फायदा उठाते हैं । तो इसके लिये व्यवस्था की जानी चाहिये । जो रेलवे के अधिकारी माल की सुरक्षा के लिये जिम्मेदार हैं अगर वे ही चोरी करायेंगे तो फिर चोरी कैसे रुक सकती है । उस नुकसान की क्षतिपूर्ति रेलवे करती है उन अधिकारियों की जेब से तो कुछ जाता नहीं । वह समझते हैं कि जिसका माल है उसको पैसा मिल जाएगा ।

कभी कभी ऐसा भी देखने में आया है कि रेलवे अधिकारी दूसरे व्यक्तियों से मिल जाते हैं और ऐसा कर देते हैं जिससे उनको क्षतिपूर्ति मिले और क्षतिपूर्ति में भी हिस्सा बंटाते हैं ।

यह सबसे बड़ा स्टेट अण्डरटेकिंग है और यह करोड़ों अरबों रुपए का माल इधर से उधर ले जाता है और उसके सम्बन्ध में करोड़ों रुपए के क्लेम होते हैं । इस ओर अधिक ध्यान देने की जरूरत है जिससे कि ज्यादा नुकसान न होने पाए और उसकी रुकावट हो । नुकसान होने के जो जो कारण हैं उनकी बारीकी से छानबीन करके उनको रोकने की ओर ध्यान देने की जरूरत है ।

हम देखते हैं कि हजारों लाखों क्लेम प्रति वर्ष आते हैं और उनमें काफी समय भी लगता है । मेरा सुझाव है कि जिस तरह से टिकिटलैस ट्रेविल के लिये कुछ मैजिस्ट्रेट रखे जाते हैं जो कि उसका चैकिंग करें उसी तरह से क्लेम्स के सैटिलटमेंट के लिये भी कुछ ऐसी व्यवस्था की जाए कि मौके पर जाकर वह लोगों को पंच मुकर्रर करें और आरबिट्रेशन के द्वारा उस कम्पन्सेशन का फैसला कर। लिया करें । यदि ऐसा किया जाए तो बहुत

कुछ समय की बचत हो सकती है और लोगों की परेशानी भी कम हो सकती है, नहीं तो छोटे छोटे क्लेम्स के लिये भी काफी समय लगता है और काफी दौड़ धूप करनी पड़ती है और काफी खर्चा भी करना पड़ता है । मैं समझता हूं कि रेलवे प्रशासन इस ओर ध्यान देगा और जो दावे हैं उनका जल्द से जल्द निपटारा हो जाए इसके लिये प्रयत्न करेगा ।

एक और बात की ओर मैं रेलवे प्रशासन का ध्यान दिलाना चाहता हूं । कई स्टेशनों पर माल को रखने की कोई व्यवस्था नहीं है यानी गोडाउन्स और पारसल घरों की व्यवस्था नहीं है । इसका परिणाम यह होता है कि माल बरसात में भी खुले में पड़ा रहता है जिससे वह खराब हो जाता है और चोरियां भी होती हैं । तो इस माल को सुरक्षित रखने की व्यवस्था बहुत जरूरी है, चाहे मुसाफिरों के लिये वेटिंग हाल कुछ समय के लिये रोक दिये जायें, लेकिन माल को सुरक्षित रखने के लिये, जिन स्टेशनों पर ज्यादा माल आता है, उचित गोडाउन्स और पारसल घरों की व्यवस्था जल्दी से जल्दी की जानी चाहिये ताकि उनके अभाव में जो नुकसान होता है वह न हो । इस माल की क्षतिपूर्ति करने में रेलवे प्रशासन का काफी खर्चा होता है ।

जो सड़ जाने वाला माल है उसको कुलीजन आदि हो जाने की अवस्था में जो नीलाम करने की व्यवस्था इसमें की गयी है वह ठीक है । लेकिन रूल्स में ऐसी व्यवस्था होनी चाहिये कि नीलाम करने के पहले जो माल है उसका विधिवत् पंचनामा किया जाना चाहिये ताकि ठीक अनुमान हो सके कि कितना माल था । नहीं तो इसमें लोगों को गड़बड़ करने का बहुत मौका रहता है । जहां तक सम्भव हो कुछ स्थानीय लोगों को पंच मुकर्रर करके उनके द्वारा नीलाम कराया जाए ताकि लोगों को शंका की गुंजाइश न हो और जो नीलाम करने वाले हैं उनको भी अनुचित लाभ प्राप्त करने का अवसर न मिले ।

इसी तरह से कुछ और सुधार किये जाएं और यदि रेलवे प्रशासन सतर्क रहे और जो उपाय बताए गए हैं उन पर अमल करे तो मैं समझता हूं कि बहुत कुछ शिकायतें दूर हो जायेंगी और जो लोग रेलवे के बजाए ट्रक्स से माल ढुलवाने लगे हैं जो कि गोदाम से गोदाम तक माल पहुंचा देती है, वह प्रवृत्ति भी रुक जाएगी । इससे रेलवे को आमदनी का नुकसान होता है । यदि जनता की शिकायतें दूर कर दी जाएंगी तो यह आमदनी भी कम नहीं होगी । मैं आशा करता हूं कि रेलवे प्रशासन इस ओर ध्यान देगा ।

Some Hon. Members *rose*—

Mr. Speaker: Shri Ramesh Prasad Singh—I will call Shri Muniswamy next. I will call Shri Vittal Rao in the end so that he may review all that has been said. Now Shri Ramesh Prasad Singh—I think this is his maiden speech.

Shri Ramesh Prasad Singh (Aurangabad): Mr. Speaker, Sir, the Bill further to amend the Indian Railways Act is a very good measure and I welcome it. It removes a long felt want of the public, and I congratulate the Ministry of Railways and, more particularly, the Railway Minister Shri Jagjivan Ram for bringing forward this measure in this House.

The recommendation of the Railway Freight Enquiry Committee has been accepted by the Government and the responsibility of the Railways in India as carriers of animals and goods which is at present that of a bailee has been changed to that of a common carrier, and this is a distinct improvement on the existing law on the subject.

Sir, I had the privilege of going through the minutes of dissent appended to the Report of the Select Committee by Shri Yadav Narayan Jadhav. The nine exceptions made in section 73 of the Act are very necessary, and I do not think they in any

[Shri Ramesh Prasad Singh]

way affect the object of the proposed legislation. The law has to be made very precise and all the necessary contingencies have to be taken into consideration. All the possibilities that might come in the way of effective execution of the law have also to be taken into consideration.

In this connection, Sir, I would like to say that nobody will be held responsible for anything done by an act of God or an act of war or the like. Some of our hon. friends have raised objection to exception No. (f). I would like to say that if a clever consignor books an ailing animal which is about to die and the animal dies in transit, no sensible person can hold the railway administration responsible for that; rather, the consignor can be punished in such cases. But the Bill goes further and it puts the onus of proof on the railway administration itself to show that it exercised deliberate care and caution in carrying the goods and the animals. Over and above the nine exceptions which have been given in clauses (a) to (i), there is a proviso also, which reads:

> "Provided that even where such loss, destruction, damage, deterioration or non-delivery is proved to have arisen from any one or more of the aforesaid causes, the railway administration shall not be relieved of its responsibility for the loss, destruction, deterioration or non-delivery unless the administration further proves that it has used reasonable foresight and care in the carriage of the animals or goods."

So, I submit that section 73 in the proposed Bill is a very good measure and it is very necessary to meet all the contingencies that might arise in the application of the law. I recommend that the Bill, as amended by the Select Committee, should be passed unanimously by this House.

Shri N. R. Muniswamy (Vellore): I welcome this Bill on the ground that it is a long-standing grievance of the people that the liability of the railways should be changed from that of a bailee to that of a common carrier. So, while welcoming the Bill, I have to make some observations as to the

13.31 hrs.

[DR. SUSHILA NAYAR *in the Chair.*]

responsibility of the bailee. Initially, the bailee is responsible only to the extent of taking care of the goods as if they are his own. For example, if I entrust any valuable article to a friend of mine for safe custody as a bailee, if he has taken as much care of it as he will take if it is his own property and still, in spite of that, if a theft of that property has taken place, he is not liable. Similarly, all these years, from the date of commencement of the railway system in our country, the responsibility of the railways was that of a bailee, and there has been a good deal of agitation by the people that the responsibility should be shifted to that of a common carrier. Now, in case there is any negligence or the carrier has not taken enough care and caution as regards the property, he will be held responsible That is the stage at which the responsibility of the carrier has been fixed. I welcome it, because it is certainly an improvement with regard to liability. But I only want that this shifting of liability in railways should not be diluted by the various clauses.

I may be permitted to mention here a few of them. In section 73, about nine exceptions have been given, of which I propose to deal with only two items, namely, sub-clauses (f) and (g). Clause (f) reads:

> "act or omission or negligence of the consignor or the consignee or the agent or servant of the consignor or the consignee;"

If there is any such defect or omission on the part of the consignor, or the consignee or the agent or servant of either of them, then, if any loss or destruction or any deterioration or delay takes place, the railways cannot be held responsible. The basic principle on which I wish to base my objection is that when we entrust a particular consignment to the railway authorities to be taken from one place to another, it is also the duty of the railways to accept or reject the consignment on the spot. If, for example, a consignment is not according to specifications, or if the consignment has not been properly packed, then it is for the railway station master to reject it, for it is not as though the railways are bound to accept all the consignments that have been booked. Then, having accepted the consignment with defects, if the defect is one which has been manoeuvred, or connived at or schemed by the consignor or consignee, that must be proved. Sometimes it so happens that when we send a particular commodity from one place to another place, there is bound to be some defect in the packing. The railway station master has to bring it to his notice and reject it, or if he accepts it, he must accept it saying "I am accepting it at your risk because it is not properly packed or does not satisfy some of the rules". Then it will be sent at the risk of the consignor or consignee. But once not having brought it to the notice of the consignor or his agent, if ultimately something happens and the consignment is totally destroyed or totally deteriorated or loss occurs on different grounds, the railways should not be allowed to go scot-free, saying they are not liable because it is due to one or more of the reasons given in clause (f). I only say that the railways must also be very careful in accepting a consignment. When they accept a consignment, if necessary, they can say "we accept it with all these defects". If the defects are patent, then there is no difficulty in saying that. Of course, the railways have to exercise "reasonable foresight and care". But if, in spite of all that, anything happens, then the railways are not liable according to this provision. I only want that we must issue special instructions from the Board in the form of an official order that even though some of the consignments may fall under any of the exceptions given in this section, still a duty is cast on them to bring it to the notice of the consignor.

For example, in posting letters in a great hurry some of the letters are not properly pasted. I am told that in England the postal authorities pick up such letters specially which are not properly pasted, use gum and paste them well. That is done at the cost of the Government. Likewise, if there are some small packing defects, it should be the responsibility of the railways to rectify or remedy such defects in packing rather than rejecting the consignment as such on the ground that it is not properly packed. So, on the model of what obtains in London as regards postal facilities, I wish that they take some responsibility in coming to the help of the people.

Sub-clause (g) refers to natural deterioration or wastage in bulk or weight due to inherent defect, quality or vice of the goods. Here I may say that I have sent paddy from one place to another place. I do not say that it was not well-packed. It is usually stitched with one bag. Sometimes they insist on two bags. Whatever the case may be, what happens is, though the bag as such has not been tampered with, they use a long contrivance and thrust it into the bag when it sucks grains out of it.

The Deputy Minister of Railway (Shri S. V. Ramaswamy): It is called bleeding.

Shri N. R. Muniswamy: You must see to it that the railway servants do not use this contrivance. Sometimes, on the pretext of testing the contents, they take away a sizable quantity of the contents of the package, as that will be useful to them. They must try to put a stop to it. Of course, in transit it is difficult to take these precautions. Even otherwise, I wish that this method should not be allowed.

[Shri N. R Muniswamy]

Everyone of us knows and even the Railway Board knows that they are doing it. Therefore, I would suggest that some sort of honesty is also there. When it is being entrusted to them, they should see that it goes intact. In transit or after reaching the destination if something happens, not by responsible officers but at lower levels who have got their own weaknesses, there must be a watch over it. In spite of our having the watch and ward department, I wish to bring to your notice that either there is some sort of slackness in the watch or they connive at it. I cannot say what it is, but ultimately some quantity is missing. This should be taken care of.

As regards natural deterioration, salt, for example, might get less due to dampness; so also sugar. But without any such dampness if we find that there is something missing in the bulk we can only hold the Railways responsible. It is said here "If the quality or the vice of the goods are such". I can understand that. But, as a matter of fact, if for no reason, even without the existence of certain conditions in which the quality and vice of the goods will suffer, it is being taken away then the Railway must be held responsible.

There is another thing which I wish to bring to your notice. When particular goods are sent from one place to another, there is some identity of names. I must give an illustration. There is a place called Ranipet. When we wanted to send some particular consignment to Ranipet, Panipet or Raniket is put. Somehow or other some 'p' or 'k' comes in and there is a mistake in the name of the station. It is diverted. Upon scrutiny when they find that instead of Ranipet it has come to Panipet, they must re-divert it. They must divert it if instead of Ranipet it has gone to Raniket. Instead of 'p' they put 'k'. It is all due to hurry in writing the label. It goes around the country and ultimately it comes to the destination or never comes to the destination at all. When we bring a claim, the Railways do not scrutinise the matter. They say that there is nothing on record of its having been consigned to Panipet or even to Ranipet. They only take refuge under small mistakes. They simply lie over the matter for a long time. By the time the real truth is found out, the law of limitation comes into play and people cannot file a suit and get compensation. Such honest mistakes are there not only from the side of the Railways but also from the side of the consignors and the consignees. These honest cases have to be looked into and proper compensation paid to the parties.

Mostly, before we ask for any claim it is investigated by inspectors. They come and negotiate for a settlement. In the course of negotiations if they find some defect on the part of the consignor or the consignee, they themselves go scot-free without paying compensation. They simply sit tight on it and ulimately the consignor or the consignee loses. When we go to the court, the court does not take cognizance of such things. The court becomes helpless. This is after all a service which is called a utility service. It is intended to serve the country and the people. We should not be too tenacious about our legal liabilities and we should be compassionate in all these things. We must take a broad view of these things. If it is a genuine case, they must be helped.

There are cases where they simply manufacture grievances. There are certain consignors and consignees who somehow or other manage to put the railways in the wrong and then plead as though they were genuine cases. There are cases of that type also. I am not arguing for them. Such cases must be rejected outright. I agree about that. But there are genuine cases where the Railways can themselves see that it is a case where they have to look into. On the very face of it they can see that the consignors or consignees have committed this or that mistake. That is the reason why

I am saying this. There are cases and cases. We must have a separate department for it and not leave this to the inspectors and others to go round and find out the real value of the commodity that was lost or destroyed and compensation paid for that. I only wish that there must be a separate department to see that claims are settled by the Railways themselves. They can have their own small arbitration office and arbitration officers. They can judge it as we do in the municipalities. Sometimes if there is some mistake in assessment, we apply to the appellate authorities. In the same way they can have their own office, but the man who sits and decides all this should be a man who is not guided by any rules but who will look into the genuineness of the case and as far as possible attend to all the legal formalities and do justice. It is better if they have it like it. Though it is not being adopted in other countries, still they can do it in our own country and see that these things are settled in that way. I cannot find fault with it, but more often there are some sort of officers who negotiate for something else. This can be avoided before a particular officer who will decide the claims according to the contingencies of it.

These things are so very well-worded. It is somewhat on the model of other countries. It is not as though we are making innovations in our own enactment. It is being copied from other countries. But merely copying it from other countries is not going to help us. We have to find out the conditions in our own country and how the mercantile community, the businessmen carry on their business. In the context of our country, we have to look into their compensation claims instead of rejecting them.

On the whole this enactment is very laudable because we are making the Railways more responsible than what they were hitherto. With regard to one aspect, namely, limitation, I find that in section 78B a period of six months is given. I may be permitted to read that particular provision. It reads:

> "Provided that any information demanded or inquiry made in writing from, or any complaint made in writing to, any of the railway administrations mentioned above by or on behalf of the person within the said period of six months regarding the non-delivery or delay in delivery of the animals or goods with particulars sufficient to identify the consignment of such animals or goods shall, for the purposes of this section, be deemed to be a claim to the refund or compensation."

Here I only wish to say that this six months period which is given regarding non-delivery or delay in the delivery of animals or goods must be taken into account either from the date of delivery or from the date of consignment. There are two ways of viewing these things. The cause of action will arise when there is non-delivery. Non-delivery will arise only from the date on which it should have been delivered. If there is no delivery within a reasonable period, from that date reasonable period, must run instead of from the date of consignment. There is some dispute as regards that. Ordinarily speaking the cause of action arises only from the date when non-delivery has taken place. Non-delivery should have taken place within a reasonable time of its reaching the destination. Sometimes it so happens that wagons are diverted for various causes. Having travelled to all other places it reaches the real place and they are not able to trace it. It is being shunted to some other place. They also do not know whether it has reached or not. Then we go and ask them about it and it is ultimately found that it has not reached because even though it was in the yard they were not able to find it. They get a large number of wagons and are not able to locate.

[Shri N. R. Muniswamy]

All the same when we put in the claim, it should not be thrown out by saying that it is barred by limitation. I only want that aspect to be borne in mind. If here is any error on the part of the consignor, I can understand that it must be thrown out. But when the consignor has taken the trouble to go to the station and find out whether a particular wagon had come to the destination or not, if because of lakhs of the staff, the Railways are not able to pay the compensation, it is too much to be expected of the consignors to forego. Therefore, I want that the period of limitation should be construed in favour of the consignee or the consignor.

Another aspect which I wish to bring to the notice of the House is as regards the carriers' liability. Suppose a particular wagon arrives at a particular time. If the consignee does not take delivery of it within a reasonable time and time passes beyond three days due to the fault of the consignee, the liability of the Railway is turned back to that of the bailee. It looks as though once responsibility was fixed as the carrier's liability, because of some lapse of time, it is to be reverted to that of bailee. Shifting of responsibility is not very helpful to anybody. I wish some sort of responsibility must continue instead of shifting it from bad to worse. That point has to be borne in mind while implementing this Act.

On the whole, I support this Bill because it is really an improvement on what was being obtained prior to the enforcement of this Act.

Shri T. B. Vittal Rao (Khammam): Madam Chairman, I welcome this amending Bill. While it was being referred to the Select Committee, I spoke on this. There are one or two points which I would like to impress on the Minister at this stage.

The Railways have been assuming liability for the transport of certain goods, booked under Railway risk. This amending Bill goes a little further and it is in conformity with the recommendations of the Railway Freights Structure Enquiry Committee. Also this is very necessary in view of the fact that the Railways are facing one of the fiercest competitions with road transport. One thing that I want to impress is this. I have been going through the figures of claims for compensation and disposal of compensation claims. I find they have been increasing. I have already stated so and I have given figures last time. When we are enacting this legislation, I want them to train the staff who happen to deal with the goods clerk, parcel clerks, etc. The Railways arrange several refresher courses for various categories of staff. after enacting this legislation, the staff have to be given some sort of training. I hope the hon. Deputy Minister, who is nodding his head will see to it so that in future, our claims for compensation come down as a result of loss or goods being damaged in transit.

There is another point on which I want clarification. Here, it is said, when goods or animals suffer any deterioration or damage in a siding not owned by the Railways, the liability will not be of the Railways. That is true. What about those sidings which are assisted sidings where the Railways also participate in the construction of such sidings? What is the position? Will the Railways assume liability in the case of such sidings or not? It is not clear from the Bill whether the Railways will not have any liability in such cases.

Then, I come to sections 76A., 76B and 76C. Unfortunately, these sections are not happily worded. The seriousnes of the issues involved has not been taken into consideration properly. In section 76A, it is said,

> "Where, due to a cause beyond the control of a railway administration or due to congestion in the yard or other operational reasons,

animals or goods delivered to the railway administration to be carried by railway are carried over a route other than the route by which they are booked or the usual or customary route, the railway administration shall not be deemed to have committed a breach of the contract of carriage by reason only of the deviation of route."

This raises a very important point. In deviation over a very short distance or where the duration of time on account of such deviation is not much, it can be construed that there is no breach of contract. For instance, you book a parcel or some goods from Bhadrachalam Road to Madras *via* Vijayawada. Due to some cause, either derailment *en route* in this section or due to various other causes, goods are to be transported *via* Secundarabad, Raichur to Madras. It will take not less than a week to reach the destination on account of the deviation. Goods which should have reached the destination within 24 hours or at the most 30 hours or even conceding 48 hours, reach the destination after a week. The average speed of a goods train is about 9 miles or 10 miles. From Bhadrachalam Road or Dornakal *via* Secunderabad and Raichur, to reach Madras, it will naturally take one week. In such cases, perishable goods are liable to be damaged. The railways will be completely free from any liability because of this provision. I think this section should be so worded as to place some limited liability at least on the railways. So also sections 76B and 76C. All these things are not helpful to the consignor.

Then, I come to the question of claim for compensation for goods lost or damaged during transit. Here, in section 78, it is stated that when we prefer a claim for compensation, we can prefer the claim on the railway administration from where the traffic originated or under sub-clause (b) which says:

> "to the railway administration on whose railway the destination station lies, or the loss, destruction, damage or deterioration occurred,"

This is going to be a hardship to the consignor. The consignor should be given the option to prefer the claim either at the originating station or at the destination station. The option should naturally lie with the consignor, because there are obvious difficultes. Suppose goods are booked from somewhere in Salem or Mangalore to somewhere in Amritsar. If the goods are damaged, the consignor should have the option either to prefer the claim either with the railway administration of the originating station or with the railway administration of the destination station whichever is convenient. If that particular consignor, had to prefer a claim with the railway administration of the destination station, he has to come to Delhi. Probably, the goods which offered for transport may not cost so much. If he has to come here to prefer a claim, we all know that in these days, a simple claim won't be disposed of in the normal course unless the person meets the officers concerned. All these difficulties are there. He has to write to so many officers. He will have to stay in Delhi. This will cause inconvenience. Supposing the goods are transported from the Southern Railway and the damage has occurred on the Central Railway, how are we to know that the damage has occurred on the Central Railway?

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Shri Jagjivan Ram: He may file it at any place. He may file at the originating station or at the destination.

Shri S. V. Ramaswamy: The hon. Member may kindly read clause 14.

Shri T. B. Vittal Rao: But the wording in section 78B (b) is:

> "to the railway administration on whose railway the destination lies, or the loss, destruction, damage or deterioration occurred,".

Shri Jagjivan Ram: The word 'or' is there.

Shri T. B. Vittal Rao: There are so many railway zones through which the goods pass. If it is accepted that the consignor can prefer a claim to the railway administration on whose railway the originating station lies, then I have no objection.

Shri Jagjivan Ram: There are three alternatives.

Shri S. V. Ramaswamy: The proposed section 80 is very clear. The hon. Member may read clause 14. That is the provision which governs this.

Shri T. B. Vittal Rao: That is there. But what is the meaning of this particular provision in section 78B?

Shri Jagjivan Ram: There are three alternatives.

Shri T. B. Vittal Rao: Then, I come to the question of the fault of the railways. What is to happen when there is a derailment or a collision etc.? So much has been spoken about it already by Shri Naushir Bharucha, that I would not like to elaborate on it any further. I feel that if there is derailment or collision, the responsibility or the liability should lie on the railways. It may be argued that sometimes derailments are caused by sabotage Even then I say that the railways should assume the responsibility.

Shri Jagjivan Ram: Yes, that is the position.

Shri T. B. Vittal Rao: No, for collision, they do not have the responsibility.

Shri Jagjivan Ram: Yes, they have. It is there in the Bill. The lability will be there even if there is a collision. It is quite clear.

Shri T. B. Vittal Rao: I do not think that it is there. But if it is there, I shall not argue this point at all.

Shri S. V. Ramaswamy: The hon. Member may read section 56A (3).

Shri T. B. Vittal Rao: So far as perishable goods are concerned, they are going to be auctioned on the spot. But how are the railways going to realise their full worth by auction? Supposing some perishable article is booked, and on the way there is some derailment or collision, the railways are then going to auction it. But how are they going to realise the full value thereof by auctioning it? Therefore, the consignor or the consignee stands to lose.

Shri Jagjivan Ram: No, he can always file a claim for compensation, under the proviso.

Shri T. B. Vittal Rao: Finally, I want to say one or two words about the way the goods traffic is handled these days. In various places where covered wagons are required, they send open wagons. For example, for transporting cement, we require covered wagons, but even during the monsoon season, they send only open wagons. For coal, we require only open wagons because there is mechanical loading, but they give coverd wagons for this purpose.

Recently, some World Bank Delegation people visited Bhadrachalam Road station. There, they found that 200 open wagons had been supplied, and along with these, 8 covered wagons also had been supplied. There was no necessity for these eight covered wagons there. Of course, even these eight covered wagons are being utilised, but the impression that has been created on the World Bank experts is rather unfortunate, and they would have begun to feel 'What is this way of doing things?'. After all, when they had been able to send 200 open wagons, why should they have sent eight covered wagons, which the people there did not require at all? Of course, they are also being utilised, but it does not look nice.

So far as cement is concerned, we want closed or covered wagons, but we are supplied only open wagons,

and if cement is transported in open wagons, during the monsoon seoson particularly, it is liable to be damaged.

Shri Warior (Trichur): What about fertilisers?

Shri T. B. Vittal Rao: With these few words, I welcome this Bill.

Mr. Chairman: Now the hon. Minister.

Shrimati Parvathi Krishnan (Coimbatore): 4 hours are there for the general discussion. You have called the hon. Minister so early. There may be still one or two Members who may like to speak. For instance, Shri S. M. Banerjee is there.

Mr. Chairman: I understand that the Deputy Minister is only intervening, and the hon. Minister of Railways will give the final reply. So Shri S. M. Banerjee can still have his chance to speak.

Shri Jagjivan Ram: No, the Deputy Minister is not intervening. He is giving the final reply.

Shri S. M. Banerjee (Kanpur): I really welcome this Bill as it has emerged from the Select Committee.

But I would like to utilise this opportunity to mention a few cases, not only of corruption but of wastage, during transhipment. I have sent so many letters to the hon. Deputy Minister, Shri Shahnawaz Khan, about certain fruitsellers in Kanpur. You know that in Kanpur, there is a big market. The claims of these fruitsellers have been outstanding with the North-Eastern Railway and the Northern Railway for the last so many years. Sometimes, I had myself to send a complete list. After my sending the letter, some claims inspector came to me, and not to those fruitsellers, and wanted another list from me. It is very strange that after he got this list and after he had made proper investigation, I got the reply that most of the claims had been rejected. I want to know whether there are eighty or ninty or hundred claims outstanding in Kanpur city alone, from the fruit-sellers, and if so, what has happened to those claims.

So far as perishable goods are concerned, I would like to make one submission. What is happening when these perishable goods are sent from one place to another? Much has been mentioned about the wagons already. I am glad that in this particular Bill, the railways have taken the responsibility, and that will ease the worry to some extent, of the consignor and the consignee, and they will feel that their goods will be secure, and the railways will protect their goods and they will reach the proper destination in good condition.

Now, the question arises as to what will happen if something happens on the way. Section 73 which is now proposed reads thus:

> "Save as otherwise provided in this Act, a railway administration shall be responsible for the loss, destruction, damage, deterioration or non-delivery, in transit, of animals or goods delivered to the administration to be carried by railway, arising from any cause except the following, namely:—
>
> (a) act of God;"

I do not know why God has been brought into this Bill. Either it is a natural calamity like floods, or typhoon or something like that. After all, some of us worship God only in the abstract or something of that sort. And God is very kind to us. So, why should He be after the railways? After all, the intention of the framers of the Bill is only this. They are only referring here to natural calamities like floods or typhoon or something of that sort which it is beyond the power of the railway administration to control. But that should have been clearly provided for in the Bill itself. If on account of natural calamities,

[Shri S. M. Banerjee]

there had been derailment, and there has been damage to the goods, I could understand. But why should we say *'act of God'? I do not know whether* the use of this expression will be correct. I feel that we should not have used this expression at all. Rather, I would like it to be substituted by 'serious natural calamity' or something of that sort.

Then, we find the phrase 'act of war'. Then, we have the phrase 'act of public enemies;'. I do not know whether the hon. Minister means saboteurs. Of course, we do not support saboteurs, and, therefore, if this is what is meant, then it is all right. But the term 'public enemies' may mean so many things. There is a constant chain of wagon-breakers throughout the railways; whether it be the Eastern Railway or the Northern Railway or the North-Eastern Railway, there is chain moving on; and I do not know whether they do it with the connivance of the Railway Protecton Force people or other railway servants. If that sort of thing happens, the consignor will lose, and he will not get any compensation, because some public enemy, some friend of some public servant has done this job. So, I am of the opinion that this expression is of too sweeping a nature. It should have been properly defined. Otherwise, in the name of this particular section, many people will stand to lose. I have a very serious complaint about coal. I can quote an instance. Recently certain wagons were caught in a loco shed in Kanpur. I took photographs of them. I informed the SP I informed the highest authority there and also the officers in the Division of Allahabad. They came there and found that the wagons were known as wagons containing ash and cinder. But it was found that there was 70 per cent or 60 per cent coal in it, Bengal steam coal grade No. 1. Pictures were taken of it.

Ultimately, what was the decision taken by the Railway Administration? Only a class IV employee has been suspended and another discharged. No action, unfortunately, has been *taken by anyone.*

There is a gereral complaint by the coal merchants in Kanpur who have got coal shops to distribute coal, about non-supply of wagons. There is a tremendous shortage of coal in Kanpur for industrial as well as soft coke for domestic consumption. The total requirement of soft coke is 85,000—90,000 maunds as against which we get only 15,000—20,000 or 25,000 maunds. This is because of the bottleneck in transport. Even this quantity is not being received by them. They have a genuine complaint against the Railway Administration as regards shortage in wagons. There is shortage in every wagon and it is to the tune of 15—20 maunds. This being the position, I do not know how we can possibly get the quota of coal for Kanpur, whether it is for industrial consumption or for domestic consumption. When I reported this matter to the senior officer there, he said that this corruption or theft could not be stopped because there were strong persons working for it and they would murder people. There are instances of people being threatened with daggers and swords when they wanted to stop a theft. I reported this matter to the authorities. Then I got an anonymous letters form somebody in Urdu, which said:

अब यह जान जोखिम का काम है,
इसको मत करिए तो अच्छा है ।

I reported this matter to the GRP and to the District Magistrate and so on.

So this is a vicious circle going on. If you travel by the side of a goods train and if you are vigilant, you will find small boys who are deputed by these people to climb those goods wagons and throw out the coal. This is really a very serious matter. I request that some action should be

taken to safeguard the interests of those who send the coal and of those who receive 15—20 maunds less of coal.

I fully agree with my hon. friend, Shrimati Parvathi Krishnan when she says that wagons should not be manufactured by private companies. After all, we are the purchasers, the consumers. We consume all the wagons. When we have the grip of monopoly over the railway industry, wagon manufacture should not have been left to the private owners. If it is left to them, they manufacture the wagons in such a way that they break before long and they come back to them again. This is a very bad thing, and so this should not be left in the hands of the private sector.

As regards settlement of claims, I fully agree with my hon. friends who have said that the minimum possible time should be taken. I want to know whether it is not possible to specify a minimum time in the Bill itself for this purpose.

As regards safety, even with the functioning of the Railway Protection Force and guarding of goods inside yards or in the running trains. I am sorry that with all the sincere efforts of the hon. Minister with his keen desire to check corruption and theft, thefts and losses are on the increase. If you travel in a first class compartment, you will find that all the bed-lights etc. are missing. As regards third class compartmens, of course there are no bedlights because they are not expected to sleep. This is the position. Even other things are not available. I am told that when these carriages are placed in the yard, these things are removed and they are sold again to the Railway Administration. So this is a vicious circle. My information may be wrong; I am speaking subject to correction. I would request the hon. Minister to throw some light on this.

Another important point is about the allotment of wagons for articles other than perishables like pulses etc. You know that Kanpur is a place from where we send so many things to the south. We were getting four wagons for transporting things to the south. *These were stopped recently* and it was with great difficulty that we have been able to get one wagon. The prices of rice and other articles were soaring high in the south. We were not given any wagons. With great difficulty, after contacting the hon. Minister—I am really thankful to him for it—we could get one wagon. I do not know why this position should continue, why sufficient number of wagons were not allotted. I would request the hon. Minister to throw some light on these points.

I would again ask him to omit from this Bill the words 'act of God', because God is very kind to me and He is not hostile to the railways only.

Shri S. V. Ramaswamy: Let him think of God and he will get the light.

Hon. Members who participated in the debate have been very kind to the Bill and to the Ministry. By and large, they have welcomed the Bill. They have pointed out certain defects which they consider as such, but it shall be my endeavour to show that they are not justified in saying so.

Broadly, this Bill introduces a fundamental change in the liability of the Indian Railways. Hitherto it was a bailee's liability; now it is a carrier's liability. There seems to be some misconception about the liability which is now sought to be assumed by the railways. It is said that it is that of the insurer. It is forgotten that this is conditioned even in England by the standard terms and conditions which were introduced on the 1st January 1928. This has stood the test of time. I might tell the hon. House that many of these amendments are based largely on the British standard terms and conditions and on the experience of the British Railways. It may also be

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noted that this liability has all along been borne by the British Railways. If we had not so far undertaken this liability, it is because of the peculiar conditions prevailing in our country, the difference in gauge, the long distance, climatic conditions, the locking system being not so well improved as in England and so on. These were the limiting conditions which prevented us for undertaking this liability. As has been observed, the Railway Freight Structure Committee recommended that it should be undertaken. Public demand was also there. Therefore, this Bll has been brought before the House.

I may at one dispose of a point raised by Dr. K. B. Menon when he said, 'Oh, there has been inordinate delay'. I beg to submit that there has been no inordinate delay. It was said that this Bill should have been brought before the House within one year of the introduction of the new freight rates.

Shrimati Parvathi Krishnan: Delay is in a transporting goods.

Shri S. V. Ramaswamy: The hon. Member mentioned some other delay; I am answering that. There was delay because we had to gather a large amount of data. I do not think we could have brought the Bill earlier than now.

What is the liability that we now have under the existing law? Even under the existing law as bailee, we have got a right to sell perishable goods. This is derived under section 151 read with section 189 of the Indian Contract Act. All that we seek to do now is to regularise and legalise it, because when we assume the common carrier's liability, the rights under the Indian Contract Act may not be available to us. That, I submit, is the crux of the matter.

Section 151 of the Indian Contract Act says:

> "In all cases of bailment, the bailee is bound to take such care of the goods bailed to him as a man of ordinary prudence would under similar circumstances take of his own goods of the same bulk, quality and value as the goods bailed."

It is in pursuance of this, under section 189 of the Indian Contract Act that even now we take, as bailees, proper care as if we were the owner. If it is perishing, we would like to avoid complete perishing by selling it. Section 189 of the Indian Contract Act says:

> "An agent has authority in an emergency to do all such acts for the purpose of protecting his principal from loss as would be done by a person of ordinary prudence in his own case under similar circumstances.
>
> Illustrations
>
> (a) Agents for sale may have the goods repaired, if necessary.
>
> (b) A sends provisions to B at Calcutta with direction to send them immediately to C at Cuttack. B may sell the provisions at Calcutta if they will not bear the journey to Cuttack without spoiling."

So, we are now only seeking to regularise it, because we find that if we assume the liability of common carriers, the rights under the Indian Contract Act may not be available to us.

The other point has been raised with regard to section 73. Much has been said about act of God. It is a term of art, a legal term, which lawyers very often come across and it is found in statutes also. I would like to quote from Wharton's Law Lexicon:

> "Act of God, a direct, violent, sudden and irresistible act of nature, which could not by any

reasonable care, have been foreseen or resisted. The general rule is that where the law creates a duty and the party is disabled from performing it without any default of his own, by the act of God, or the King's enemies, the law will excuse him."

It is not as if this is an isolated case where the term 'act of God' is found. There is the Indian Carriage of Goods by Sea Act, 1925. Article 4, section 2 says:

"Neither a carrier nor a ship shall be responsible for loss or damage arising or resulting from...

(d) act of God;

(e) act of war..." etc.

So, this is nothing new; it is found in almost all Acts where liability is cast upon certain public bodies or other concerns.

Much has been said about sub-clause (f) of section 73. It says:

"(f) act or omission or negligence of the consignor or the consignee or the agent or servant of the consignor or the consignee;

(g) natural deterioration or wastage in bulk or weight due to inherent defect, quality or vice of the goods;" etc.

I would straightaway submit that this is largely based upon condition (3) of the British Standard Terms and Conditions, with necesary changes to suit Inidan conditions. Condition (3) has been in force from 1st January, 1928 and has stood the test of time. It reads thus:

"The company shall, subject to these conditions, be liable for any loss or misdelivery of or damage to merchandise occasioned during transit as defined by these conditions, unless the company shall prove that such loss, misdelivery or damage has arisen from—

(a) act of God—"

there again it is act of God; my friend, Shri Banerjee has gone away—

"(b) act war or of the King's enemies;

(c) arrest or restraint of princes or rulers or seizure under legal process;

(d) orders or restrictions imposed by the Government or any department thereof;

(e) act of omission of the trader, his servant or agent;

(f) inherent liability to wastage in bulk or weight, latent defect or inherent defect, vice or natural deterioration of merchandise...." etc.

I need not read the rest of it. So, clause 73 is almost a reproduction of Condition 3 *mutatis mutandis* with necessary changes, except that a proviso has been added. The proviso is in favour of the consignor and the general public. It says:

"Provided that even where such loss, destruction, damage, deterioration or non-delivery is proved to have arisen from any one or more of the aforesaid causes, the railway administration shall not be relieved of its responsibility for the loss, destruction, damage, deterioration or non-delivery unless the administration further proves that it has used reasonable foresight and care in the carriage of the animals or goods."

Nothing can be more resoanable than this in favour of the citizen—the consignor as well as the consignee. In accepting this proviso, I submit that the railways have conceded a great deal to the general public and has taken a very big responsibility.

Similarly, section 78B was assailed. I submit that the proviso which has been introduced by the Select Committee under your able Chairmanship, Madam, goes further to protect the

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interest of the ordinary citizens—the railway users.

The proviso says:

> "Provided that any information demanded or inquiry made in writing from, or any complaint made in writing to, any of the railway administration mentioned above by or on behalf of the person within the said period of six months regarding non-delivery or delay in delivery of the animals or goods with particulars sufficent to indentify the consignment of such animals or goods shall, for the purposes of this section be deemed to be a claim to the refund or compensation."

Nothing can be more liberal than this in favour of the citizens.

Section 56 has been assailed in different directions by the various amendments, with which I shall deal later. Many hon. Members have said that collision between trains and derailment should be excluded from section 56, the object being that this may be due to a default or negligence on the part of the railways and therefore, in such cases the railways should be mulcted. The point is, the liability of the railways is not taken away even by introducing section 56A(1). If you are pleased to read section 56A (3) it makes very clear the liability of the railways:

> "(3) The provisons of this section shall be without prejudice to the claim or right which the person entitled to the goods may have against the railway administration under any other enactment for the time being in force."

So, this is a broad shield of protection which is given to the citizen irespective of the fact that the loss was due to collision or derailment or even of negligence of the railways. It does not bar action against the railways if they are otherwise liable. It might also be pointed out in this connection that there is no distinction between railway risk and owner risk. Therefore, the citizen can always fall back upon the proposed section 56A(3) for protection of his rights.

I may also refer to some amendments which have been moved to the effect that in case the loss is due to derailment or collision, the freight up to the point should not be deducted. I do not see any reason why it should not be deducted. Why should not the railways be entitled to the freight for carrying the goods up to thate point where the collision or derailment or diversion occurs where the loss to the party occurs? There is no fault in having carried it up to that point; the defect may be after that point where the derailment may occur; and for that under the new section 56A(3) the citizen will still be entitled to pursue his remedies against the railways.

Shri T. B. Vittal Rao: Even by carrying it to the point of collision, the contract is not being kept up. Till you carry the goods to the destination, your liability should be there—not only up to that point.

Shri S. V. Ramaswamy: I am coming to section 76. My hon. freind Shri Vital Roo was arguing about sections 76A, 76B and 76C. The hon. Member forgets that one word has got to be emphasized which will change the character of the section completely. Section 76A reads:

> "Where, due to a cause beyond the control of a railway administration or due to congestion in the yard or other operational reasons, animals or goods delivered to the railway administration to be carried by railway are carried over a route other than the route by which they are booked or the usual or customary route, the railway administartion shall not be deemed to have committed a breach of the contract of carriage by reason only of the deviation of route."

The other remedies are still open there. If for operational reasons we have got to divert it, what is the protection for the railways unless we got section? You will strightaway file claim petitions or suits for damages even though we were compelled by necessity, for reasons of operation, to divert it. Therefore, my humble submission is that sections 76A, 76B and 76C are well-conceived, there is nothing inherently wrong in them.

Much has been said about claims. Hon. Members have been very kind to the railways in warning us: "now that you are assuming the carrier's liability, be careful; train your men; ask them to handle the goods carefully so that there is no theft; there is a tendency for the claims to go up, for the compensation to increase, try to bring it down, please keep a check." We are thankfull to the hon. Members for cautioning us. We are also mindful, we are very careful about it.

Shrimati Parvathi Krishnan mentioned one thing as the reason for the increase in claims, namely, increased traffic. The hon. lady Member missed two other points which are of great importance.

Shrimati Parvathi Krishnan: I did not say that was the reason. I said that was the reason you might advance. I did not give that as a reason.

Shri S. V. Ramaswamy: I thought you accepted that reason. That was my mistake.

Shrimati Parvathi Krishnan: Clearly not. Obviously that was the time you were writing something.

Shri S. V. Ramaswamy: Apart from that, there are two other reasons. There has been an increase in the price level also, that is to say the value of the goods carried. Not merely the quantity of goods carried, but also their value, has increased. The third point is that after the freight structure revision, a large number of commodities have been removed from the list of owners' risk. Therefore, the claims position is slighty worse than what it was, but then it is not so alarming. It was Rs. 3:7 crores in 1959-60; in 1960-61 there is a slight rise to Rs. 3:9 crores. We are keeping a check on this, but considering the three points, namely increase in the volume, increase in the value and the large number of items that have been removed from the owners' risk list, the increase in claims is not really considerable.

Shri T. B. Vittal Rao: Did you give us the figures of the goods books under owners' risk and railway risk?

Shri S. V. Ramaswamy: I am sorry off-hand I cannot give it, but I can satisfy the hon. Member that though I have made out a case that the rise is not so alarming, yet there is no room for complacency. I quite admit that. We are always on the watch to see that the claims position is brought under control, and the compensation is lessened year by year. We are watchful.

Then there was the other point about the delay in settling claims. In 1954-55 the average time taken was 61 days. It gradually came down. In 1957-58 it came down to 49 days. Then there is a slight deterioration, I quite admit. Last year it came back to 52 days, but that is largely accounted by the fact that there has been an increase in the number of cases and also that the railways have been affected by natural calamities like floods, washing away of tracks and so on. These are all the factors which militate against our bringing down this figure to a reasonable proportion. At the same time, I might assure the House that we are greatly concerned about it, and we are paying every attention. As a matter of fact, we have sections dealing with the settlement of claims arrears, and we are keeping a constant watch over this.

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An hon. lady Member asked: what about quicker transport, what about wagon facilities, what about the manufacture of wagons, what action is taken if manufacturers delay in keeping to their schedule? The real position is this. There is no want of capacity in the country to manufacture wagons. It is the shortage of steel. Certain items were promised indigenously. That could not materialse. Therefore, we had to import, and you cannot get at these things immediately you place the order. It takes some time. As a matter of fact, I am glad to inform the House that the major portion of the orders that we have place abroad for steel and other things necessary for the manufacture of wagons has come. We have also taken other steps. We are going to manufacture wagons in our own workshops to the order of about 15,000 wagons. Some four workshops have been selected for the manufacture of 2,000 box-type wagons also. So, I might assure the House that we are deeply exercised over this matter of the shortage, and we are trying to meet it as early as possible. If the conditions are favourable, if we get a little more steel, we shall certainly push the scheme through, and we shall be able to utilise to the maximum the capacity in this country which is of the order of about 26,000 wagons per annum.

There has been particular mention of coal. I am glad to say that since July the loading in the Bengal-Bihar area has been of the order of 5,030 wagons per day. From that date, the movement above Moghalsari has been stepped up to 2,100 wagons. So, the position is that we are bracing ourselves up to the task, and we have met the difficulty in a way, and we are moving as much coal as possible.

Shri Braj Raj Singh: But the question remains whether you have been able to clear the stocks that were piling up in the coalfileds, and whether you have been able to feed industry.

Shri Jagjivan Ram: Yes. Say "yes".

Shri S. V. Ramaswamy: You have said it, and your saying is more authoritative.

Shri T. V. Vittal Rao: He can say 'yes' but the facts remain. The pithead stocks are there.

Shri Jagjivan Ram: The fact remains that the wagons that Railways are giving to the collieries are not used to the full extent. We are meeting all the permissible indents that are being placed on us.

Shri Braj Raj Singh: Still the difficulty arises. Perhaps the Coal Ministry is not utilising them. Are we to take it like that? The hon. Minister says that the wagons which they are placing at their disposal are not being fully utilisd. Whose fault is it now? The public should be told. What is the difficulty?

Shri Jagjivan Ram: What is to be told? I say that the industries' requirements are being fully met. What else do you want me to assure?

Shri Braj Raj Singh: You are placing the wagons and they are not being fuly utilised. By whom? Coal Controller?

Shri Jagjivan Ram: By some of the collieries.

Shri T. B. Vittal Rao: On the Railways itself, the Southern Railway in Olavakot Division had to cancel certain goods trains because of shortage of coal.

Shri Jagjivan Ram: My hon. friend is perhaps aware or he is feigning not to know all these things. On the Southern Railway we are meeting the coal requirements by coastal shipping and not by trains.

Shri S. V. Ramaswamy: One point has been made by my hon. friend Shri

Damani and some other hon. Members also that there should be a time-limit for the settlement of claims. I am afraid it is not as easy as that. It is a legal matter; we will have to go into the circumstances and see whether we are bound to pay and whether the party is entitled for it. All these questions have to be examined. It was even suggested that if the settlement of claims takes more than the allotted time, the Railways should pay interest on the money. It is an extra-ordinary suggestion. I thought the hon. Members would be pleased to suggest that we should expedite the disposal as much as possible. We are doing it. There was another suggestion about the small claims. We have authorised the station masters to settle claims up to Rs. 50 on the spot and in this way we are dealing with small claims.

A suggestion was made that the station master should examine the packing and find out whether it is properly packed and if it is not so, it should be rejected. When you are dealing not with thousands but lakhs and lakhs of parcels and other articles how is the station master to find time to look into them. How is he even competent to do this and say whether the package is packed properly or not? It will be impossible. It is up to the consignor to pack things properly. We are going to lay down, as soon as this Bill is passed into an Act, the packing conditions for certain items so that the trade may conform to them and unless they conform to those conditions they will be rejected.

I now come to the question of claims agents. It is a ticklish question. Some hon. Member suggested that those who had been railway employees should be prevented from becoming claims agents. I do not know whether it is possible. I am sure a writ petition will be filed that he has got a right to practise any profession or trade or calling to make a living. I do not, therefore, think that it will be possible to restrict anybody from doing it. It is only the enlightened public opinion and assistance from the hon. Members that can prevent any abuse or misuse of power or privilege or experience they may have gained.

My hon. friend Shri Muniswamy mentioned certain mistakes in the description of the addresses. We have issued instructions that on all these things the name should be fully and clearly written. We have also asked the consignors to have two or more slips attached and also attach cards giving complete address so that there may not be any mis-despatch. Most of these difficulties arise because of illegible addresses or the address had been erased or destroyed. To avoid all these things, we have issued clear instructions to see that these mistakes do not occur.

As regards theft, we are taking every precaution and our liability increases now and we have got to be doubly careful to see that thefts and pilferages do not happen. In conclusion, I am thankful to the hon. Members for the various suggestions they have made.

Mr. Chairman: The question is:

"That the Bill further to amend the Indian Railways Act, 1890, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. Chairman: We shall take clause-by-clause consideration. There are no amendments to clauses 2 to 5. The question is:

"That Clauses 2 to 5 stand part of the Bill."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

Clause 6—(*Insertion of new section 56A*)

Mr. Chairman: There are some amendments to clause 6.

Shrimati Parvathi Krishnan: I beg to move:

(i) Page 2, line 33,—

after "Sale" *insert*—

"except in the case of collision between trains and derailment of a train". (5)

(ii) Page 2,—

after line 40 *add.*

"(4) In cases of collision between trains and derailment of a train, the full amount realised from the sale referred to in sub-section (2) be paid to the person entitled thereto". (6)

This clause gives the Railways the right of auctioning perishable goods in the event of any accident or collision which may take place at places where it is not possible to arrange for speedy transhipment of such perishable goods. We have proposed in this amendment that it is the responsibility of the railways in certain circumstances. In the case of collision between trains or derailment of trains the railways do have a responsibility and the value that is realised by auction may not be the real value of the goods that had been booked by the railways. So, the railways should assume full responsibility where it is not by what are known as the acts of God that these things happen. We do not see the reason why the consignor should be penalised and should have a further loss by having the expenses that are incurred for arrangement of the sale of those goods also deducted. So, in these two cases mentioned by us, where the railways is held responsible and where negligence comes into the picture, the full amount realised from the auction should be reimbursed and given to the consignor. This is the substance of the amendments that we have proposed and I hope that the hon. Minister will be in a position to accept them.

Shri Jagjivan Ram: Mr. Chairman, the whole thing has been confused. What is the scheme of this clause? In this clause we are not thinking of compensation. We want to take the power to auction the perishable goods in case we find that due to certain causes it is not possible to transport them by the normal route so that we may dispose of the things and salvage, if not the whole, a portion of it and the entire or the total loss of the perishable articles may be avoided. What clause 6 does is this: it clothes the railway administration with the authority, in case these things occur, to auction the perishable goods so that the entire goods are not lost. The proviso provides that it is without any prejudice to claim compensation by the consignor. So, even if we accept the amendment to delete the words "collision between trains" etc., what will be the effect of it? The effect will be that if due to collision between trains, the normal route has been blocked, the goods have to be diverted by another route and if the railway finds that they have to be auctioned we cannot auction them. But that is not the intention of the amendment.

Shrimati Parvathi Krishnan: The hon. Minister is referring to an earlier amendment which I have not moved.

Shri Jagjivan Ram: Her first amendment.

Shrimati Parvathi Krishnan: It is not the first amendment. The amendment that I have moved relates to the deduction of the expenses incurred for arranging the auction.

Shri Jagjivan Ram: Then the hon. Member is simply restricting it. What I am saying is, even if it is due to the causes beyond the control of the railways that the perishable goods could not be transported to their destination, the goods can be put to auction. The railways are not absolved of the responsibilities to pay com-

pensation even if the goods are not transported due to floods. So, we are not absolved of the responsibilities of paying compensation to the consignor simply because in this case we are taking the power to auction the perishable goods. All that I wanted to say was that the right of the consignor to claim compensation even in these cases has not been prejudiced. Therefore, there is no necessity of this amendment.

Shri Narasimhan (Krishnagiri): It means that the railways could realise something out of this by selling.

Shri Jagjivan Ram: If the compensation has to be paid we adjust the amount towards it.

Shrimati Parvathi Krishnan: I think the hon. Minister was under the wrong impression that I had moved the earlier amendment. But I did not move it. This is only in regard to the expenses that are incurred for arranging the auction or sale. In the case of collision or accident or derailment, the railways should not have the right in such cases to deduct this amount from the sale proceeds.

Shri Jagjivan Ram: I have dealt with that aspect also. I say it does not prejudice the right of the consignor to claim compensation even in those cases.

Mr. Chairman: Does the hon. Member press the amendment?

Shrimati Parvathi Krishnan: Yes.

Amendments Nos. 5 and 6 were put and negatived.

Mr. Chairman: The question is:

"That clause 6 stand part of the Bill."

Clause 6 was added to the Bill.

Clauses 7 to 12 were then added to the Bill.

Clause 13—(*Substitution of new sections for sections 72 to 78*).

Shrimati Parvathi Krishnan: I beg to move:

Page 4, *omit* line 29. (7).

Mr. Chairman, the amendment that I have moved is to delete the exemption that is given in this clause with regard to fire, explosion or any unforeseen risk. As has been pointed out by quite a number of speakers on this occasion, and also earlier when the Bill was first referred to the Select Committee, fire or explosion and especially "any unforeseen risk" make it a very wide matter, and it seems as though in this list of exemptions the railway is also asking for one more exemption where it can evade its responsibility. We do know of many cases where the fire may be due to negligence or is largely due to negligence on the part of the railways. My hon. friend Shri S. M. Banerjee referred to thefts that take place due to the ineffective working of the Railway Protection Force which seems to be, most of the time, busy in harassing the employees of the railways than in guarding the property of the railways and guarding the property of the public, which has been entrusted to the railways. Therefore, while we agree that in cases of act of God and so on this is a justifiable clause, particularly this last item, namely, "fire, explosion or any unforeseen risk" should be deleted. I feel that the rest of the exemptions would cover all these other items too.

For instance, there are the words, "latent defects" and also "natural deterioration of wastage in bulk or weight due to inherent defect, quality or vice of the goods." I would like to know what exactly is the difference. . . . .

Shri S. V. Ramaswamy: I want one clarification. The hon. Member's amendment deals only with the seventh amendment that is, line 29, which mentions "latent defects". But she is talking about line 30 also.

Shrimati Parvathi Krishnan: I am sorry that it was left out when I gave the amendment. I am asking for that line also to be deleted, namely, line 30. I am sorry I had left it out. I am coming to that now. The wordings are "latent defects." Latent defects cover exactly what are cover-

[Shrimati Parvathi Krishnan]

ed in the preceding exemptions, that is, "natural deterioration or wastage in bulk or weight due to inherent defect, quality or vice of the goods." I would like to know from the hon. Minister what exactly is the difference between items (g) and (h), because "latent defects" is again a sweeping item.

Shri Jagjivan Ram: The same difference as between inherent and latent.

Shrimati Parvathi Krishnan: I think that "natural deterioration or wastage in bulk" etc. should cover and will be covering what is supposed to be "latent defects." I would, therefore, request the hon. Minister to accept my amendment No. 7 to delete line 29 and also to delete line 30.

Shri Jagjivan Ram: The difficulty is that the hon. Member has not cared to read the proviso.

Shrimati Parvathi Krishnan: I have read it.

Shri Jagjivan Ram: I presume so. If she has read the proviso, there will be no difficulty in this matter. We have gone further and said this: that the onus of proof that the railways have taken enough care is not on the party but on the railway administration itself, whether it is a case of inherent defect or latent defect or fire or explosion. Again, I say that the railways are not absolved of the responsibility to pay compensation when it is proved that they had not taken sufficient precaution and care, as a prudent man will take, to protect the goods that have been entrusted to them for transportation. So, always the party can claim, and the railways will have to prove it. The onus of proof does not lie on the consignor but on the railways. Therefore, this provision will not create any difficulty for the consignor.

Mr. Chairman: The question is:

Page 4, "omit line 29" (7).

The motion was negatived.

Mr. Chairman: The question is:

"That clause 13 stand part of the Bill."

The motion was adopted.

Clause 13 was added to the Bill.

Clauses 14 to 20 were then added to the Bill.

Mr. Chairman: We now come to clause 20A. There is a Government amendment.

15 hrs.

New Clause 20A.

Shri S. V. Ramaswamy: I beg to move:

Page 14,—

after line 28 *insert*,—

"20A. In section 137 of the principal Act, in clause (a) of sub-section (3), after the word and figures "section 56" the words, figures and letter "or section 56-A" shall be inserted."(1).

My submission is that this is only a consequential amendment. Let me read section 137 of the principal Act. Section 137, sub-section (3) says:

"A railway servant—

(a) shall not purchase or bid either in person or by any agent, in his own name or in that of another or jointly in shares with others, any property put up to auction under section 55 or 56...."

My submission is, the House having accepted new Section 56A saying that where there is a collision or accident or some such thing the consignment of perishables can be sold or auctioned etc. we are now seeking to bring that also within the purview of Section 137 so that even in that case no railway servant will be able to bid at that auction. It is only consequential and it may be accepted by the House.

Mr. Chairman: The question is:

Page 14,—

after line 28, *insert*—

"20A. In section 137 of the principal Act, in clause (a) of sub-section (3), after the word and figures "section 56", the words, figures and letter "or section 56A" shall be inserted." (1).

The motion was adopted.

Mr. Chairman: The question is:

"That New Clause 20A be added to the Bill."

The motion was adopted.

New Clause 20A was added to the Bill.

Clauses 21 to 26 were added to the Bill.

Clause 1, the Enacting Formula and the Long Title were to the Bill.

Shri S. V. Ramaswamy: I beg to move:

"That the Bill, as amended, be passed."

Mr. Chairman: The question is:

"That the Bill, as amended, be passed."

..The motion was adopted.

15.34 hrs.

SUGARCANE CESS (VALIDATION) BILL

The Deputy Minister of Finance (Shri B. R. Bhagat): Madam, I beg to move:

"that the Bill to validate the imposition and collection of cesses on sugarcane under certain State Acts and to amend the U.P. Sugarcane Cess (Validation) Act, 1961 be taken into consideration."

At the time of the consideration of the U.P. Sugarcane Cess (Validation) Bill, 1961 in this House on the 6th March, 1961, it was mentioned how the U.P. Sugarcane Cess Act, 1956, providing for the levy of cess on entry of sugarcane within the premises of a factory was declared *ultra vires* and beyond the competence of the State Legislature by a majority judgment of the Supreme Court delivered on the 13th December, 1960, in the case of Diamond Sugar Mills Ltd., and other *Vs* the State of Uttar Pradesh.

Taking into account the above judgment of the Court as also the problem faced by the U.P. Government of having to refund large amount of cesses collected by them since January, 1950, the Parliament was pleased to enact the U.P. Sugarcane Cess (Validation) Act, 1961 (No. 4 of 1961) validating the cesses imposed and collected by the U.P. Government under the impugned Act between the period 26th January, 1950 to the 3rd February, 1961.

When the above Bill was being considered, it was mentioned that the above judgment of the Supreme Court would also affect the sugarcane cess levies of other States and that it would be necessary to bring forward another legislation validating the collections made by other affected States. The States of Andhra Pradesh, Bihar, Gujarat, Madhya Pradesh, Madras, Maharashtra and Mysore have since requested the Central Government to intervene in the matter and pass a validating legislation in their cases as has been done in the case of U.P. The Government of Uttar Pradesh, whose cesses were validated for the period from 26th January, 1950 to the 3rd February, 1961, at their request have also approached the Central Government for the validation of the State levies prior to 26th January, 1950.

As had already been explained at the time of the consideration of the U.P. Validation Bill, the amounts involved are very large (approximating to Rs. 49.47 crores in respect of all the affected States excluding U.P. levies of about Rs. 45 crores which

[Shri B. R. Bhagat]

have already been validated) and if its refund is allowed, the benefit of refund would go to the sugar factory owners and not to the consumers of sugar from whom the cess would have been recovered already. The Central Government have, therefore, decided to come to the rescue of the State Governments and to take steps to validate the past levies and collections of cesses by them. For the future, the State Governments have been advised to adjust their levies within the frame work of the powers available to them under the Constitution.

Madam, the validating measure in the case of U.P. had an unanimous reception from all sections of the House. The purpose of the present Bill is exactly the same. It seeks to extend the benefit of validation to the other affected States and to amended the U.P. Sugarcane Cess (Validation) Act, 1961 so as to provide for the validation of the levies prior to 26th January, 1950 in the State of U.P. I trust that the House will unanimously accept the Bill as had been done on the previous occasion.

With these words, Madam, I move.

Mr. Chairman: Motion moved:

"That the Bill to validate the imposition and collection of cesses on sugarcane under certain State Acts and to amend the U.P. Sugarcane Cess (Validation) Act, 1961 be taken into consideration."

Some hon. Members *rose*—

Mr. Chairman: Before I call on Shri Banerjee, may I request those hon. Members who wish to speak to pass on their slips to the Table because otherwise I will mix up some of the names? Now, Shri Banerjee.

श्री स० मो० बनर्जी (कानपुर) : पहली मर्तबा जब यू० पी० कैन सैस वैलीडेशन बिल पर सदन में बहस चल रही थी तो मैं ने सदन का ध्यान आकर्षित किया था कि उत्तर प्रदेश में कितना केन सैस बाकी था । उस वक्त मैं ने एक सवाल का जवाब जो सदन में दिया गया था वह भी रखने की कोशिश की थी । यह सवाल २१ फरवरी को किया गया था । वह इस प्रकार था :

"Will the Minister of Food and Agriculture be pleased to State:

(a) whether any step has been taken by the Centre to get the cane cess amount in U.P. realised after the U.P. Cane Cess has been declared invalid by the Supreme Court;

(b) the amount due from the mill owners in U.P.; and

(c) whether any legislation is likely to be introduced?"

और उसका जवाब ऐसा दिया गया था

"(a) The Central Government promulgated on 30th January, 1961 an Ordinance validating the imposition and collection of cane-cess by the U.P. Government from 26th January, 1950 to the 3rd February, 1961. As regards the future the State Government has taken necessary steps within the powers available to it.

(b) According to the information received from the U.P. Government, the arrears of cane cess on 31st December 1960 were Rs. 367.86 lakhs."

और उसके बाद यह भी कहा गया था । ऑब्जेक्टस ऐंड रीजंस में यह कहा गया था :—

"This decision of the Supreme Court invalidated the levy and collection of cesses on sugarcane by the U.P. Government under that Act."

The total cess collection by the U.P. Government from cane growers nearly run to about Rs. 45 crores.

अभी माननीय उपमंत्री ने इस चीज को कहा भी है । मैं जानना चाहता हूं कि उस वक्त जब कि सुप्रीम कोर्ट ने यू० पी० के इस कानून को रद्द किया था और जब मंत्री महोदय को इस सदन के सामने आना पड़ा था यह कहने के लिए कि इसमें काफी रुपया करीब ४५ करोड़ रुपया डूब जायेगा और इसलिए इसके वैलिडेशन के लिए इस विधेयक की जरूरत थी तो क्या उन्होंने सोचा नहीं था कि आखिर दूसरे प्रान्तों में भी सुप्रीम कोर्ट के फैसले के अनुसार वह लोग भी देने से इंकार करेंगे और अन्य राज्य सरकारों के सामने भी वही परिस्थिति उत्पन्न होगी जो कि उत्तर प्रदेश की सरकार के सामने उत्पन्न हुई थी ? आखिर यह फैसला किसी हाईकोर्ट का तो था नहीं । यह कोई इलाहाबाद हाईकोर्ट या लखनऊ की डिवीजन बैंच का तो फैसला था नहीं । वह फैसला तो हमारे यहां के हाइएस्ट जुडिशिएल कोर्ट हिन्दुस्तान की सबसे बड़ी कचहरी अर्थात सुप्रीम कोर्ट का फैसला था । मैजारिटी जजेज का फैसला था । मैं समझता हूं कि अगर उस वक्त यह चीज आ जाती तो हम लोगों के सामने यह चीज आ जाती कि दूसरे प्रान्तों में कितना पैसा बाकी रहता है । आज यू० पी० में ४५ करोड़ रुपया था और हमें दूसरे प्रान्तों के बारे में भी मालूम हो जाता कि कितना पैसा बाकी है । अभी मालूम हुआ कि वह लगभग ५० करोड़ रुपये या ५९ करोड़ रुपये के करीब है ।

15.12 hrs.

[SHRI HEDA *in the Chair*]

मैं इस बिल के बारे में दो, तीन चीजें कहना चाहता हूं । मैं ने और मेरे मित्र श्री ब्रजराज सिंह ने उस वक्त यह बारबार कहा था कि केन सैस की छूट के बारे में अगर सूबे की सरकार के हाथों में या राज्य सरकारों के हाथ में कुछ शक्ति मिल जायेगी तो वह केन सैस का पूरा पैसा वसूल नहीं करेंगे बल्कि रैब्यू करने के नाते या असैसमेंट करने के नाते जो यह डिस्क्रिशन मिला है उसमें उत्तर प्रदेश की तरह वह उसमें छूट देदेंगे और एसा हुआ है मैं माननीय उपमंत्री जी से यह पूछना चाहता हूं कि उत्तर प्रदेश में केन सैस का पैसा क्या हुआ? छै मार्च को यहां पर बहस हुई और शायद अप्रैल के महीने में यह ऐक्ट की शक्ल में आया। इस बिल के पास होते ही पिछला बिल जब पास हुआ और ऐक्ट बना तो क्या उत्तर प्रदेश की सरकार ने वह तमाम पैसा जो ४५ करोड़ रुपया ड्यू था वह वसूल कर लिया ? यदि वसूल किया तो कितना वसूल किया और यदि वह वसूल नहीं कर सकी तो वह कितना रुपया रहता है ? क्या यह बात सच नहीं है कि कुछ उन्होंने रिआयतें दी हैं और कुछ चीजों की छूट दे दी है ? मुझे ठीक मालूम नहीं है और हो सकता है कि मैं गलती कर रहा हूं लेकिन जहां तक मेरी जानकारी है उसके अनुसार तकरीबन २, ४ करोड़ या ३–४ करोड़ रुपये की छूट उत्तर प्रदेश के मिल मालिकों को दे दी गई हैं और मैं ने उस वक्त भी इशारा किया था और इस सदन का ध्यान आकर्षित करने की कोशिश की थी कि इस केन सैस के पैसे के बारे में उत्तर प्रदेश की सरकार या दूसरी राज्य सरकारें छूट देंगी तो उसमें कोई राजनैतिक चीजें भी आ सकती हैं और ऐसा ही हुआ । हमें यह खतरा था कि

> "from claiming refund of any cess paid by him in excess of the amount due from him under any State Act and the rules made thereunder."

और उसके बाद मैं समझता हूं कि राज्य सरकारों को यह हक होगा कि वह असैसमेंट करते हुए फर्ज कीजिये जिसको देना है वह कहता है कि ऐक्ट के अनुसार असैसमेंट किया जाये तो वह कुछ छूट दे सकता है । यह छूट देने की ताकत अगर आज उत्तर प्रदेश की सरकार और अन्य राज्य सरकारों को दे दी गई तो मैं समझता हूं कि यह ४५ करोड़ रुपया उत्तर प्रदेश का और जैसे कि हमारे उपमंत्री महोदय ने बतलाया कि वह रुपया तकरीबन

[श्री स० मो० बनर्जी]

५० करोड़ से ज्यादा है वह रुपया वसूल नहीं होगा और उसके वसूल होने में देरी लगेगी। उसमें से कुछ पैसा हो सकता है कि चुनावों के चंदे में लोग दे दें और वह बाद में लिया जाये। इसमें मैं कोई आरोप नहीं लगाता हूं और न ही मैं कोई कटाक्ष की बात करता हूं लेकिन यह चीज होती है। उत्तर प्रदेश में हो चुकी है अब दूसरे प्रान्तों में हो या न हो। मैं सरकार से जानना चाहूंगा कि अब कितना पैसा सैस का बाकी रहता है और कितने पैसे की छूट दे दी गई है। मंत्री महोदय द्वारा यह सब आंकड़े अलग अलग दिये जाने से यह साफ हो जायेगा कि वह रुपया वसूल होने वाला है, वसूल हो रहा है या नहीं वसूल हो रहा है।

मैं इस बिल का स्वागत करता हूं। सुप्रीम कोर्ट के जजमेंट से जो परिस्थिति उत्पन्न हो गई है उसमें राज्य सरकार क्या करे? अगर कोई एक ऐसा कम्प्रीहैंसिव बिल लाया जाता जिसमें कि वह तमाम चीजें आ जातीं तो मेरे ख्याल में वह अच्छा होता वैसे मालूम नहीं कि कानूनी तौर पर वह चीज सही होती या न होती लेकिन तो भी वह चीज हो सकती थी। इस वास्ते मैं दुबारा मंत्री महोदय से दरख्वास्त करूंगा कि जो पिछले बिल में खामियां रह गई थीं और जिनके कि फलस्वरूप लोगों को रैमिशन मिल सकता है कम से कम उन खामियों को दूर करने की कोशिश करें और यह रुपया जो मिलना चाहिए वह आये।

अब रहा यह कि उस रुपये का इस्तेमाल किस तरीके से किया जाये और चीनी का भाव क्या वाकई में कम हो सकता है? पिछली दफा यह भी सवाल उठा था कि यह जो केन सैस का रुपया वसूल करते हैं उससे होता क्या है और उससे फायदा क्या हो रहा है और क्या उसका फायदा उपभोक्ता को भी जाता है? शक्कर के दाम कम करने, कौस्ट आफ प्राइस रैड्यूस करने का सवाल भी हमारे सामने है। यह कुछ सवाल थे जिनके कि लिए जब यहां पर काम रोको प्रस्ताव आया तो अध्यक्ष महोदय ने यह कहा था कि आखिर इस में काम रोको प्रस्ताव लाने की जरूरत क्या है तो मेरे मित्र श्री ब्रजराज सिंह ने यह कहा था कि यह मरकजी हुकूमत की जिम्मेदारी है। टैरिफ कमिशन इसके लिए रिपोर्ट देता है और शुगर की जो प्राइस हम रखते हैं वह केन सैस को देख कर चीनी की कीमत निर्धारित की जाती है। मैं कहूंगा कि यह मामला एक पेचिदा मामला है। मैं ने इस सम्बन्ध में जो उत्तर प्रदेश का बारबार नाम लिया है वह इसलिए नहीं लिया है कि उत्तर प्रदेश में पैसा वसूल नहीं हुआ है लेकिन मैं डरता यह हूं कि कहीं हर एक प्रान्त में यह चीज न हो जाये कि इस तरीके से चुनावों के दरमियान में केन सैस का पैसा आधा माफ हो जाये और आधे में से चौथाई रूलिंग पार्टी को मिल जाय। इससे वैलिडेशन करने का कोई फायदा नहीं होगा। इन शब्दों के साथ मैं इस बिल का दुबारा स्वागत करता हूं और उपमंत्री महोदय से कहूंगा कि वह हर एक प्रांत के लिए अलग अलग फीगर्स दें कि कहां कितना रुपया केन सैस का बाकी है, कितना रुपया वसूल हुआ है और कितना रैमिट हुआ है और इससे मालूम हो जायेगा कि यह जो बिल पास किया गया है उसका कुछ असर हुआ है या नहीं हुआ है। मैं अन्त में एक बार फिर इस बिल का स्वागत करते हुए अपना स्थान ग्रहण करता हूं।

Shri Mahanty (Dhenkanal): Mr. Chairman, the hon. Member preceding me, while welcoming the Bill, has raised certain issues which are extraneous to the Bill. He has raised issues relating to the alleged cess arrears of the UP and other Governments. In all fairness, this Government cannot be answerable to the alleged arrears of sugarcane cess allowed by the State Governments for reasons best known to them. What this Bill merely seeks to achieve is to validate as many as ten State Acts which were struck

down by the Supreme Court in a judgment relating to a case filed by the Diamond Sugar Mills *Vs.* the State of Uttar Pradesh, and the hon. Minister has given figures that as much as Rs. 49.7 crores should have been refunded to the various sugar manufacturing units had these State Acts been invalidated, excluding, of course, Rs. 45 crores which the UP would have had to refund to the sugar manufacturing units. Therefore, this is merely a validating Bill and it has nothing to do with the sugar cane cess arrears, and I am sure there are vigilant State Assemblies to take care of such arrears, if they have been permitted at all.

But I would venture to submit that this Bill raises far more fundamental principles and propositions of law than are sought to be made out. In the first place, nobody questions the legislative competence of Parliament to revalidate what has been declared as invalid. But, I suppose, a discrimination should be made between legislative competence and legislative propriety. When I say legislative propriety, it is not in my contemplation that the Government should not have revalidated it because, as the hon. Minister has given out, a vast sum amounting to Rs. 94 crores would have been refunded to the sugar manufacturing units by the various State Governments if these Acts would not have been validated. We are very grateful to our High Courts and the Supreme Court for their ever vigilance of any transgression by the Government or by the individuals against Constitutional propriety. We are grateful. But we find that these High Courts and the Supreme Court often times function in a vacuum without any reference to the ideological and social context. If you look to the genesis of this particular Bill, you will find that the whole matter rested on the interpretation of Entry 52 in the State List which reads:

> "Taxes on the entry of goods into a local area for consumption, use or sale therein."

The UP Government had held as also in the dissenting judgment the Supreme Court had held that a factory is an area. Of course, the factory is an area; it is a local area because every factory functions both in time and space. When the factory is located in a geographical space, it relates to an area and it is a local area. But in their judgment the majority judges of the Supreme Court have held that a factory is not a local area as though a factory exists in a vacuum or is located in space. Be that as it may, on this interpretation of 'local area', whether a factory is a local area or not, the learned judges of the Supreme Court in the majority judgment have struck down the UP Sugarcane Cess Act and the various other States Acts are also going to meet the same end.

While I fully support the Government's move to revalidate the Act which has been unnecessarily struck down by the Supreme Court in their wisdom, I raise one fundamental question which has not been answered by the hon. Minister in his opening speech. It is this. Is it going to solve the problem? The hon. Minister has said, "We have advised the State Governments to take recourse to such measures as are available to them". We would like to know inasmuch as it relates to the State Governments' rights to raise resources, what particular specific advice the hon. Minister is going to tender to the State Governments. Unless Entry 52 of the State List is going to be amended, if it is going to stand as it has stood so far, how is the local area going to be defined? How is it going to be interpreted by the courts henceforward? I would like to know if the State Governments have any other powers available to them with Entry 52 as it stands today. I am afraid that the rights of the State Governments have been too much restricted by not only such judgments which are pronounced off and on, but also by the complicated

[Shri Mahanty]

mechanism of the distribution of occupied field in regard to taxation between the States and the Centre. I am of the opinion, even though the Government is validating an Act which has been invalidated by the Supreme Court, the State Governments will continue to find their efforts flounder on such obstacles unless the Constitution is suitably amended. I therefore make a plea that it is not a remedy. It may be a good palliative but the remedy lies in wording Entry 52 in a manner so that the State Governments do not come to such grief.

Another point that I would like to mention is this. When the Constitution was framed it was framed in a very different context. The concept of planning that we have in this country today had not taken its roots. Now we find a State Government in a very unenviable position. We finde, on the one hand, the Central Government exhorting the State Governments to raise resources from new taxation and when the State Governments come to raise resources from taxation, unfortunately they find that most of the fields are occupied fields of the Centre, for instance, minerals.

Now, the State Governments having rich mineral deposits cannot regulate the levy, the licence fee or the operation of mining as mining is today in the occupied field. Similarly, you find inter-State sales tax. In my State vast quantities of jute are exported, but no sales tax can be levied as it comes under the inter-State sales tax. Similarly, many instances can be given. Here is also an instance where you find the State Governments hopelessly struggling to raise resources, trying to raise resources and the Supreme Court came in the way as a result of which they could not. Therefore it is time enough that the Government of India consider in all seriousness to appoint a commission to go into the entire field of taxation distributio to see what should be within the occupied field of the States and what should be in the occupied fields of the Centre. There should be no blured twilight hang over these fields of taxation.

The hon. Minister may say that the Finance Commission quinquennially goes into this aspect of the question. But the Finance Commission has got a very different scope of enquiry. The Finance Commission mainly engages itself in the devolution of Central taxes to the State Governments. But that is not my intention. My intention here is that you are asking the State Governments to raise resources and when the State Governments raise the resources your law courts jump at their necks and say, "Here you have transgressed the limits of law and Constitution". In my own State, vast sums of money were realised through a kind of an impost or levy on the transport of Kendu leaves by road and river trans port. That was also struck down by the High Court on the analogy of some case which was decided in the Supreme Court between the tea plantation owners and the Government of Assam. Therefore what I feel today is that in this context of planning and in the context of these exhortations made by the Central Government to raise resources, the State Governments today are in a most unenviable position. Any time thy try to raise resources in the way that is open to them, either the law comes in the way or the Government comes in the way. Therefore in all humility I plead that it is time enough that we do not satisfy ourselves by giving such palliatives to the State Governments but we try to find out a real deep acting remedy so that the State Governments know where they stand *vis-a-vis* the raising of resources.

With these words I support the Bill.

श्री ब्रजराज सिंह (फ़िरोज़ाबाद) : सभापति महोदय, मैं इस विधेयक का स्वागत करता हूं। इस से पहले जो विधेयक पेश किया गया था, जिस की चर्चा अभी उप-मंत्री महोदय ने की, उस का भी हम लोगों ने स्वागत किया था। वास्तव में, जब सुप्रीम कोर्ट का फ़ैसला सुनाया गया था, तो उस के बाद इस तरह का विधेयक केन्द्रीय सरकार बनाए, इस की मांग करने वाले सब से पहले हम ही लोग थे। आश्चर्य की बात यह है कि उत्तर प्रदेश के लिये यह कानून बनाया गया था लेकिन भारत के अन्य भागों के लिये, जहां पर भी गन्ना उपकर लिया जा रहा था, सरकार को कानून लाने में इतनी देर लगी और साथ ही उत्तर प्रदेश के लिये २६ जनवरी, १९५० से पहले वसूल किये गये उपकर को कानूनी शक्ल देने के लिये उस को इस संशोधन का आश्रय लेना पड़ा, सिर्फ़ इस से ही सरकार की लापरवाही ज़ाहिर होती है। इस से यह प्रकट होता है कि सरकार के लोग यह नहीं देखते कि आखिर कौन सी चीज़ है, जो उन के अधिकार क्षेत्र में है, कौन सी चीज किस वक्त की जानी चाहिए।

इस सम्बन्ध में मैं ने पिछली बार भी कहा था, जिस को मैं फिर दोहराना चाहता हूं, कि यदि स्टेट लिस्ट में यह विषय नहीं था और प्रान्तीय सरकारें इसे अपने अधिकार-क्षेत्र में समझते हुए कानून बनाती रहीं, तो केन्द्रीय सरकार को कुछ सोचना चाहिए था। लेकिन केन्द्रीय सरकार ने कुछ नहीं सोचा, जिस का नतीजा यह हुआ कि सुप्रीम कोर्ट द्वारा उस कानून को अवैध ठहराया गया और फिर सरकार को सदन के सामने आना पड़ा।

जहां तक इस बिल के उद्देश्यों का सम्बन्ध है, इससे कोई इन्कार नहीं कर सकता है कि जो रुपया इन कानूनों के अवैध हो जाने से सरकार के पास था उसे सरकार को मिल मालिकों को लौटाना पड़ेगा। इस पृष्ठभूमि में यह भी समझने की आवश्यकता है कि यह रुपया किसानों से लिया गया है, उपभोक्ताओं से जो चीनी के हैं, और जिन को चीनी का मूल्य अधिक देना पड़ा है, उनसे लिया गया है और इसे किन्हीं खास उद्देश्यों के लिए ही लिया गया है। कम से कम उत्तर प्रदेश में जो गन्ना उपकर लगाया गया है उसके पीछे यही उद्देश्य था कि गन्ने की खेती का विकास हो, गन्ना क्षेत्रों में सड़कें अच्छी बनें इत्यादि। इस कानून के अवैध हो जाने से यदि वह रुपया मिल मालिकों को वापिस करना पड़ता है तो सही रूप से अगर देखा जाए तो वह रुपया मिल मालिकों का तो था नहीं और वह उनको किसी शक्ल में भी वापिस नहीं होना चाहिये। इस में मैं समझता हूं कोई दो रायें नहीं हो सकती हैं। यह रुपया शक्कर के उपभोक्ताओं का था और उन्होंने यह रुपया दिया मिल मालिकों को इसलिए कि यह सरकार के पास जाए ताकि वह गन्ना क्षेत्रों में सड़कें बना सके, गन्ने की किस्म में विकास कर सके ताकि गन्ने की किस्म में जो सुधार हो उससे उत्पादन बढ़ सके। इन सारे उद्देश्यों के लिए उन्होंने यह रुपया दिया हुआ था। इस में कोई दो रायें नहीं हैं कि गन्ना उपकर से जो रुपया वसूल हुआ है चाहे उत्तर प्रदेश में या दूसरे प्रदेशों में, वह रुपया किसी भी शक्ल में मिल मालिकों के पास नहीं रह सकता है और उसको मिल मालिकों ने यदि जमा कर दिया सरकार के पास तो वह जिस उद्देश्य के लिए लिया गया था, उस उद्देश्य के लिए खर्च किया जाए और इस कानून के अवैध हो जाने के बाद यदि उसे वापिस करने की नौबत आती है और वह उस काम के लिए खर्च नहीं किया जाता है जिस के लिए वह लिया गया था तो न सरकार और न ही जनता इससे कभी सहमत हो सकती है।

मेरे माननीय मित्र श्री महन्ती ने यह कहा है कि इस बिल पर बहस करते वक्त प्रान्तीय सरकारों का कितना रुपया बकाया है, जिसे उनको लेना चाहिये था और नहीं

[श्री ब्रजराज सिंह]

ले सकी हैं और उन्होंने उसे साफ कर दिया है, इसको यहां उठाना उचित नहीं है । मैं उनकी इस दलील से सहमत नहीं हूं और न ही यह उचित दलील है । उत्तर प्रदेश का जो कानून सुप्रीम कोर्ट द्वारा अवैध घोषित किया गया था और जिसके बारे में हमें अच्छा ज्ञान है, उसमें कुछ इस तरह की व्यवस्थायें थीं जिनको पार्लिमेंट ने जो वैलिडेटिंग कानून बनाया और जो अब बनने जा रहा है, उसके मुताबिक भी उन व्यवस्थाओं को वैसे ही छोड़ दिया गया है और उनके अन्तर्गत प्रदेशों की सरकारों को यह हक हासिल था कि वे किन्हीं मामलों में उपकर की बकाया की वसूली को रोक सकती हैं, उसको माफ कर सकती हैं । उत्तर प्रदेश में इस तरह के उदाहरण हैं जिन में कि गन्ना उपकर की वसूली को रोका गया है और उसको माफ भी किया गया है । अब किन परिस्थितियों में उसको माफ किया गया है, यह समय नहीं है कि मैं उनका विवरण इस सदन में दूं, उनकी तफसीलों में जाऊं । लेकिन इतना साफ है कि उसको माफ किया गया । उपमंत्री महोदय भी इस बात को स्वीकार करेंगे कि उत्तर प्रदेश में गन्ना उपकर का कुछ रुपया बाकी है और अगर यह सही है कि वह बाकी है तो मैं पूछना चाहता हूं सरकार से कि क्यों उसको वसूल नहीं किया जाता है । जब सरकार हमारे सामने आती है उस कानून को कानूनी शक्ल देने के लिए जिसको कि अवैध घोषित कर दिया गया है, तो जनता का यह हक है कि वह जाने कि जो रुपया मिल मालिकों ने वसूल किया है सरकारी खजाने में जमा करने के लिए चीनी के उपभोक्ताओं से, उस रुपये को उन्हें अपने पास रखने का कौन सा अधिकार है ? अपने पास वे उस रुपये को नहीं रख सकते हैं । वह जनता का रुपया था, जनता से वसूल किया गया था, उपभोक्ताओं से वसूल किया गया था वह सरकार के पास आना चाहिये और जिन खास उद्देश्यों के लिये वह वसूल किया गया था उन पर ही उसको खर्च किया जाना चाहिये । मैं नहीं समझता कि किसी शक्ल में भी, किसी सूरत में भी इस रुपये को माफ किया जा सकता है । लेकिन फिर भी वह माफ किया गया है । अगर माफ न किया जाए तो बकाया क्यों हो? जितने दिन भी रुपया मिल मालिकों के पास रहता है, गलत तरीके से रहता है क्योंकि जब वसूल किया जाता है तो उसमें उनका कोई हेतु नहीं होता है, कोई सम्बन्ध नहीं होता है । किसी खास उद्देश्य के लिये सरकारी खजाने में जमा होने के लिए वह उनके पास जाता है और जितने दिन वह जमा नहीं होता है उतने दिन तक कानूनी जुर्म भले ही हो यह न हो कम से कम मारेल जुर्म जरूर है अगर वे उसको इसी तरह से अपने पास रख छोड़ते हैं । इसलिये यह सरकार की जिम्मेदारी है वह सफाई दे कि उत्तर प्रदेश में गन्ना उपकर की जो रकम बकाया है, वह क्यों है और क्या हिन्दुस्तान के और कोई दूसरे हिस्से भी हैं जहां इस उपकर की कोई रकम बाकी है ? अगर बाकी है तो सरकार को इस बात का उत्तरदायित्व लेना चाहिये अपने ऊपर कि वह न तो उसे माफ करे और न ही इस तरीके से बाकी रहने दे । इसका कारण जैसे मैंने निवेदन किया है यह है कि किसी को भी हक हासिल नहीं है उसको अपने पास रखने का । यह पैसा जनता का है और जनता के हित में ही इसको खर्च किया जाना चाहिये ।

गन्ना उपकर कानून को अब जब हम कानूनी शक्ल देने जा रहे हैं तो कुछ दूसरे प्रश्न भी उठते हैं और उन पर भी विचार कर लेना उचित होगा । एक प्रश्न यह उठता है कि हम शूगर का निर्यात करने वाले हैं और इसमें हमें हानि होने वाली है । इस हानि को बर्दाश्त करते हुए भी हम निर्यात करने जा रहे हैं और इसका कारण यह है कि एक तो शूगर का उत्पादन बढ़ गया है और दूसरे

देश को विदेशी मुद्रा की आवश्यकता है । ये जो दो कारण हैं, उन दोनों से ही मैं सहमत हूं । मैं मानता हूं कि शूगर का उत्पादन बढ़ गया है और हमें विदेशी मुद्रा की भी आवश्यकता है । लेकिन हमें इसके साथ ही साथ यह भी देखना है कि क्या किसी मात्रा में हम शूगर का निर्यात करने वाले हैं विदेशों को, उससे शूगर के बढ़े हुए उत्पादन की जो समस्या है वह हल हो जाएगी ? मैं समझता हूं कि वह हल नहीं होगी । दूसरे सदन में खाद्य मंत्री श्री पाटिल ने यह घोषणा की है कि चूंकि हम शूगर के आवागमन इत्यादि पर से सभी प्रतिबन्ध हटा रहे हैं, इसलिए अब शूगर का उपभोग बढ़ेगा और उसके फलस्वरूप सरकार को पचास करोड़ रुपया सालाना एक्साइज ड्यूटी इत्यादि के तौर पर अधिक मिल सकेगा । मैं निवेदन करना चाहता हूं कि श्री पाटिल का यह विश्वास किन्हीं तथ्यों पर आधारित नहीं है ।

श्री ब० रा० भगत : यह कैसे रेलेवेंट है ?

श्री ब्रजराज सिंह : इसका सम्बन्ध इस तरह से है कि . .

श्री ब० रा० भगत : इस बिल से इसका कोई सरोकार नहीं है ।

श्री ब्रजराज सिंह : इसका सरोकार इसलिये है कि आप गन्ना उपकर जब लगाते हैं तो उससे शूगर की कीमतें बढ़ती हैं तो हिन्दुस्तान में उसका कंजम्पशन बढ़ नहीं पाता है । इसलिये इस मसले का सीधा सम्बन्ध गन्ना उपकर से है । आप सारे मसले पर इस शक्ल में नहीं देखेंगे तो . . .

सभापति महोदय : यहां पर नया कर लगाने का सवाल नहीं है । जो कर लगाया गया था और जिसको वसूल किया गया था और जिस कानून के अन्तर्गत वह लगाया गया था वह हाई कोर्ट की डिक्री की वजह से इनवैलीडेट हो गया है और अब उसको वैलीडेट करने का ही सवाल जेरे गौर है ।

श्री ब्रजराज सिंह : मैं मानता हूं कि नया कर लगाने का सवाल नहीं है—

श्री ब० रा० भगत : आप मान लीजिये ।

श्री ब्रजराज सिंह : क्या मान लूं ? मंत्री महोदय को स्वयं मालूम नहीं है कि क्या मान लूं ।

सभापति महोदय : मैंने कोई निर्णय नहीं दिया लेकिन आप इसको समझने की कोशिश करें ।

श्री ब्रजराज सिंह : जो निर्णय भी आपका होगा वह शिरोधार्य होगा । मुझे उसको मानने में कोई आपत्ति नहीं है । लेकिन मैं निवेदन करना चाहता हूं कि जो इससे सम्बन्धित प्रश्न हैं उन पर सदन में चर्चा की जा सकती है और मैं समझता हूं कि ये सभी इससे सम्बन्धित प्रश्न हैं महोदय सम्बन्ध भले ही न हो लेकिन सम्बन्ध है जरूर । आपका कानून सुप्रीम कोर्ट द्वारा अवैध घोषित किया जा चुका है और उसको अब आप कानूनी रूप देने जा रहे हैं, इसलिए उसका सीधा सम्बन्ध इससे भले ही न हो लेकिन उससे जुड़ा हुआ प्रश्न यह जरूर है । देश में शूगर के बढ़े हुए उत्पादन और निर्यात से इसका सम्बन्ध अवश्य है ।

जहां तक निर्यात का सम्बन्ध है उसमें यह बात ध्यान देने की है कि एक्साइज ड्यूटी के तौर पर या दूसरे सरकारी टैक्सों के तौर पर जो आप टैक्स वसूल कर रहे हैं वह १३ रुपये ५ आने प्रति मन आता है । मैं निवेदन करना चाहता हूं कि अब समय आ गया है जब गन्ना उपकर और दूसरी इस तरह की जो एक्साइज ड्यूटीज हैं उनको हम कम करें ताकि उपभोक्ताओं को कम कीमत पर चीनी मिल सके, देश में चीनी का उपभोग बढ़ सके और अधिक उत्पादन से जो समस्या उत्पन्न हो गई है वह हल हो सके । श्री पाटिल

[श्री ब्रजराज सिंह]

की यह घोषणा कि एक्साइज ड्यूटी वह अधिक पा सकेंगे जब उपभोग बढ़ेगा मैं समझता हूं ठीक नहीं है जब कि चीनी के मूल्य वर्तमान में बहुत बढ़े हुये हैं। मैं निवेदन करना चाहता हूं कि यह मसला किसी एक प्रदेश का नहीं है। सारे हिन्दुस्तान का यह मसला है और केन्द्रीय सरकार को विचार करना चाहिये कि किस तरह से उपभोक्ताओं को कम कीमत पर चीनी दी जा सकती है। अगर उनको उस कीमत पर चीनी नहीं दी जा सकती है जिस पर हम विदेशों को भेज रहे हैं तो कम से कम आज जो कीमत उनको अदा करनी पड़ती है, उस से कम पर उनको मिल सके, ऐसा प्रबन्ध तो किया ही जाना चाहिये। हिन्दुस्तान जैसे अर्ध-विकसित, और अविकसित भी किन्हीं किन्हीं हिस्सों में, देश के लिये यह दुर्भाग्य का विषय है कि जिस चीज का उत्पादन बड़ी मात्रा में होता भी है, वह चीज भी ऊंचे भाव पर लोगों को खरीदनी पड़ती है और विदेशों में सस्ते भाव पर उसे बेचना पड़ता है।

दूसरी बात खाद्य मंत्री जी ने बार बार यह कही है कि शूगर के दाम इसलिए कम नहीं हो सकते हैं कि शूगर के दाम में ७० परसेंट दाम गन्ने के शामिल हैं। मैं इसका विरोध करता हूं। यह सही नहीं है। अगर वह इसे सही समझते हैं तो मैं चाहता हूं कि वह और सरकार इसके लिये तैयार हों कि सारे प्रश्न की जांच करने के लिये और साथ ही साथ गन्नेकी कीमत की जांच करने के लिये एक निष्पक्ष ट्रिब्यूनल बनाया जाए जो यह देखे कि जो कीमत है, जो दर है, वह उचित है या नहीं है और क्या इस कीमत में एक बहुत बड़ा हिस्सा गन्ने के मूल्य का आ जाता है? मैं इसे मानने के लिए तैयार नहीं हूं कि शकर की कीमत कम नहीं हो सकती है। अगर जरूरी हुआ तो यह साबित किया जायेगा कि गन्ने की कीमत कोई ऐसे पैमाने पर नहीं है जिससे कि शकर की कीमत कम नहीं हो सकती। अगर सरकार सारे मसलों का आम अध्ययन कर के इस पर विचार करे तो मेरा निश्चित मत है शकर की कीमत को कम किया जा सकता है। मैं निवेदन करना चाहता हूं कि इस विषय में सरकार का ध्यान जाना चाहिये और केन्द्रीय सरकार को खास तौर से प्रदेशीय सरकारों की इस बात की राय देनी चाहिये कि वे चीनी तथा गन्ने के उत्पादन और उन के मूल्यों के सम्बन्ध में एक निश्चित नीति निर्धारित करें, जिससे एक तरफ मामूली उपभोक्ताओं को कम कीमत पर शकर मिले, दूसरी तरफ जो गन्ना उत्पादक हैं उनको भी उचित मूल्य मिल सके, जिससे वे गन्ने की खेती के लिये प्रोत्साहित होते रहें।

जहां तक इस बिल के उद्देश्यों का सवाल है, मैंने पहले ही कहा कि मैं उसका स्वागत करता हूं इसमें कोई दो रायें हो ही नहीं सकतीं। सरकार की तरफ से ही देर होती है। जो मसले उसके अपने हित के मसले हैं उन पर भी विचार करने में उसको कई-कई महीने लग जाते हैं। इस बिल को तो पुराने बिल के साथ-साथ ही आ जाना चाहिये था। पुराने बिल में २६ जनवरी, १९५० के पहले उत्तर प्रदेश गन्ने के ऊपर जो सेस वसूल हो चुका है उसे वैध करने की व्यवस्था करनी चाहिये थी लेकिन दुर्भाग्य की बात है कि वह उस समय नहीं हो सका क्योंकि सरकार का पुराना तरीका है कि वह फूंक-फूंक कर कदम रखती है, खास कर पूंजीपतियों का जब मसला आता है तब। सम्भवतः यह उनसे डरती है, इस लिये। वह इस मामले में भी फूंक फूंक कर आगे बढ़ी। यह कदम उसका देर से आया। लेकिन यह दुरुस्त मामला है और इसलिये इस पर मैं समझता हूं कि किसी के विभिन्न राय रखने का प्रश्न नहीं उठता।

फिर भी मैं निवेदन करना चाहूंगा कि गन्ने की बिक्री से जो पैसा वसूल हुआ, और अब जो वसूल होगा, चाहे वह बाकी रह गया हो या माफ किया गया हो, कम

से कम केन्द्रीय सरकार को तो कुछ जांच पड़ताल करनी चाहिये कि जिन प्रदेशों में और जिन लक्ष्यों और उद्देश्यों को पूरा करने के लिये यह उपकर लगाया गया क्या उन उद्देश्यों और लक्ष्यों को प्राप्त किया जा चुका है । ऐसा तो नहीं हुआ है कि गन्ना उपकर लगाया गया तो गन्ने के विकास के लिये और उसे खर्च कर दिया गया जो प्रदेश के दूसरे प्रश्न होते हैं, उन प्रश्नों और समस्याओं को हल करने के लिये । अगर ऐसा किया गया है तो वह उचित नहीं है । मैं आशा करता हूं कि सरकार इस तरफ ध्यान देकर जिन प्रदेशीय सरकारों ने गन्ना उपकर लगाया है और वसूल किया है. उनको निर्देश देगी या कम से कम सलाह देगी कि यदि उन्होंने ५० या ४० करोड़ रुपया गन्ना उपकर से वसूल किया है तो यह निश्चित रूप से गन्ने के विकास के ऊपर खर्च होना चाहिये, जिससे वहां गन्ने की खेती का विस्तार हो ।

इन शब्दों के साथ मैं फिर इस बिल का स्वागत करता हूं ।

श्री झुनझुनवाला (भागलपुर) : सभापति, जी, हमारे वित्त उपमंत्री जी ने प्रश्न उठाया कि यह कोई नया कर नहीं लगाया जा रहा है, अतः उस उपकर का क्या हुआ और क्या नहीं हुआ या उसका किस प्रकार व्यवहार हुआ, यह प्रश्न नहीं उठ सकता । हो सकता है कि उनका कहना ठीक हो । सभापति जी, आप ने भी इस पर कोई निर्णय नहीं लिया लेकिन मैं कहता हूं कि इस बिल में उन बातों का उठाना अत्यावश्यक है । कारण यह है कि जनता की और हम लोगों की यह शिकायत है कि सरकार कर वसूल तो कर लेती है परन्तु उस को ठीक से काम में नहीं लाती । नतीजा यह होता है कि हमारे डेवेलपमेंट का काम रुक जाता है । मैं तो कहूंगा कि जो आज हमारी शकर की इस प्रकार की दशा हुई है वह केवल हमारी सरकार की गफलत से हुई है मैं यहां की सरकार की गफलत नहीं कहता, यह यू० पी० और बिहार की बात कहता हूं । हो सकता है कि कुछ अन्य प्रादेशिक सरकारों, जैसे आंध्र आदि, में भी ऐसा हुआ हो, लेकिन वहां का मुझे इतना अनुभव नहीं है ।

जब यह सेस लगाया गया तो शुरू में १ पैसा मन लिया गया था । किसानों के बहुत विरोध करने पर भी यह कर लगया गया । उस समय सरकार ने यह अंडरटेकिंग दी थी कि यह जो कर लगया जा रहा है, यह जो सेस लगाया जा रहा है, यह गन्ने के सुधार पर खर्च किया जायेगा । इस में उपभोक्ताओं का नाम कैसे लाया जाता है, यह मुझे पता नहीं । यह पैसा आया है किसानों के पाकेट से, और उस वक्त यह बताया गया था कि शूगर बोर्ड की ओर से कि हम लोग इस कर को ऐसे काम में लगायेंगे जिस से कि गन्ने का उत्पादन इंटेंसिव हो । अर्थात जहां पर गन्ना बोया जाता है वहां पर इस प्रकार के माडर्न मेथडस एम्पलाय किये जायेंगे जिस से कि जहां पर एक एकड़ में ३०० मन गन्ना पैदा होता है वहां पर ज्यादा हो सके । उस वक्त हम लोगों ने हिसाब लगाया कि यदि यह मेथडस इस्तेमाल किये जायें तो यू० पी० और बिहार में तो कम से कम एक एकड़ में ५०० मन गन्ने का उत्पादन हो सकता है । सरकार को यह बात समझ में आई और उन्होंने यह कर लगाया । १ पैसे मन से बढ़ कर आज यह कर १४ या १५ पैसे हो गया है । जैसा अभी कहा गया, लगभग ५० करोड़ रु० इस में सरकार को मिला ।

यदि यह कर उसी काम में लगाया जाता जिस के लिये यह वसूल किया गया था, अच्छी मंशा से और मेहनत से अगर उस को लगाया जाता, तो मैं कहता हूं कि आज खांड की इंडस्ट्री की यह अवस्था न होती जो कि आज है । मेरे कहने का मतलब यह है कि सरकार पैसा तो लेती है परन्तु जिस काम के लिये वह कहती है कि पैसा ले रही है, उस काम में लगाती नहीं है । दूसरे कामों में लगाती

[श्री झुनझुनवाला]

है। नतीजा यह होता है कि वह इंडस्ट्री अवनति की ओर चली जाती है और उस से जनता को तकलीफ होती है। मैं इस प्रश्न को इसलिये महत्वपूर्ण समझता हूं कि सरकार ने जो यह कर लगाया उसे जिस काम के लिये लगाया गया उस काम में उस ने खर्च नहीं किया। नतीजा यह हुआ कि आज जो शकर की इंडस्ट्री है उस की बड़ी फजीहत हो रही है।

दूसरी बात यह है कि यह बिल जो है उस के द्वारा जो रुपया सरकार ने वसूल किया है उसे वैलिडेट किया जा रहा है। इस में कोई दो रायें नहीं हो सकतीं कि यह अच्छी बात है। यदि इस का कोई उपाय होता कि जो रुपया आया है वह उन्हीं को वापस दिया जाय जिन से कि वह वसूल किया गया है, अर्थात किसानों को वापस दे दिया जाय, तो मैं तुरन्त कहता कि यह चीज ठीक है और उस को किसानों को वापस कर देना चाहिये। परन्तु मुझे दुःख है कि यू० पी० के कई मेरे साथियों ने इस का जिक्र भी नहीं किया। उन्होंने कहा भी नहीं कि यह पैसा जो है वह किसानों का है। उन्होंने तो मैनुफैक्चरर ही का जिक्र किया।

श्री ब्रजराज सिंह : सभापति महोदय, मैं आप की अनुमति से एक सफाई दे दूं। यह पैसा किसानों से नहीं बल्कि उपभोक्ताओं के पास से इस शक्ल में आया है कि जो पैसा टैरिफ कमिशन ने चीनी की कीमत निर्धारित करते वक्त सम्भाला, और जो पैसा आया उस से चीनी की कीमत बढ़ गयी थी। इस लिये यह किसानों का पैसा नहीं है, वह कंज्यूमर्स का है।

श्री झुनझुनवाला : मैं कहता हूं कि यह किसान का पैसा है। टैरिफ कमिशन ने क्या कहा और क्या नहीं कहा, इस से मुझे कोई सरोकार नहीं है। चूंकि सरकार ने कर लगा दिया था इस लिये उन्होंने कहा कि इसका इतना पैसा होना चाहिये। इस तरह से तो सभी चीजें आप कहने लगेंगे कि उपभोक्ताओं की हैं मगर इस समय यह सवाल नहीं है कि आप क्या कहते हैं। मैं तमाम चीजों की बारीकी में नहीं जाना चाहूंगा।

मैं इस बिल का स्वागत करता हूं और कहता हूं कि यदि संभव हो तो यह पैसा किसानों को फिर दे दिया जाय और गन्ने की खेती करने वालों को दिया जाय जिस से कि हर एक एकड़ में जहां आज ३०० या ४०० मन गन्ना उत्पन्न होता है वहां इंटेंसिव कल्टिवेशन हो सके। इस विधेयक में जो कानूनी बारीकियां हैं, उन के सम्बन्ध में बहुत बहस हो चुकी। मैं उस के सम्बन्ध में कुछ नहीं कहना चाहता।

यह भी यहां पर कहा गया कि बहुत से लोगों से यह पैसा वसूल भी नहीं हुआ। मैं देखता हूं कि एक तो जो पैसा जिस काम के लिए वसूल किया जाता है उस काम पर खर्च नहीं किया जाता और कुछ लोगों से वसूल भी नहीं किया जाता। तो ये दोनों ही चीजें ठीक नहीं हैं। इनके ऊपर सरकार को ध्यान देना चाहिए कि जनता से हम जिस काम के लिए कर वसूल करते हैं उसी काम में उसे लगावें और उसको सभी से वसूल किया जाये। यदि किसी पर बाकी रहता है तो यह कह कर न छोड़ दें कि जो आदमी हमने वसूल करने के लिए भेजा था उसकी गलती से वह वसूल नहीं हो सका।

आयकर बिल पर बोलते हुए मैंने कहा था कि कहीं कहीं पर ऐसा हुआ है कि जहां से रुपया काफी वसूल हो सकता था। वहां पर कोई खास इनकम टैक्स अपीलेट आफिसर गया और उसने कहा कि यह रुपया वसूल हो सकता है तो उसका वहां से ट्रांसफर कर दिया गया। इस प्रकार की जो नीति है वह अच्छी नहीं है। उसका उत्तर देते हुए वित्त मंत्री महोदय ने कहा कि वह अफसर डिसलायल

था इसलिए उसको लोगों को एक्सप्लाइट नहीं करने दिया गया और उसको दूसरी जगह भेज दिया गया, और यह बहुत अच्छा किया गया । मैं विनय के साथ मंत्री महोदय से कहना चाहता हूं कि वह यह सोचते कि पार्लियामेंट के एक मेम्बर ने यह बात कही है जो कि जनता के प्रति उतना ही जिम्मेदार है जितने कि मंत्री महोदय हैं । तो उनको इस प्रकार का उत्तर देने के बजाये उस मेम्बर से पूछना चाहिए था कि असल में क्या बात है, और अगर वास्तव में वैसी बात थी तो उनको उस पर ऐक्शन लेना चाहिए था । इस प्रकार जो लोग ईमानदारी से काम करना चाहते हैं उनको डिसलायल कह कर अलग कर देना ठीक नहीं है । मंत्रियों को बोलने का आखिरी हक होता है और वह चाहें जो बोल दें । लेकिन जो भीतर की बात है उसमें उनको जाना चाहिए ।

श्री विश्वनाथ राय (सलेमपुर) : माननीय सभापति जी, सदन के सामने इस समय जो बिल पेश है और जिस पर एक प्रकार से दूसरी बार विवाद हो रहा है, उसके सम्बन्ध में कुछ महीने पहले गत मार्च में प्रायः वही तर्क उपस्थित किये गये थे जो कि इस समय सामने आ रहे है, विशेष कर विरोधी बैंचों के एक माननीय सदस्य का उस समय भी यह आरोप था कि यह सैस है और सैस में छूट देकर बाद में उसको पार्टी के चन्दे के रूप में लिया गया है, लिया जाता है या लिया जायेगा । हो सकता है कि ऐसा आरोप करने के लिए उनके पास कोई आधार हो, लेकिन जहां तक घटनाओं और सत्य की बात है अभी भारत के किसी भी प्रदेश में ऐसी कोई बात नहीं आयी है जिससे यह कहा जाये कि सैस में छूट दे कर उस रुपये को बाद में पार्टी के चन्दे के रूप में लिया गया । इस बात की आशंका किसी को हो सकती है । लेकिन अगर हम इस प्रकार के तर्क को लेकर चलें तो हम केवल इस सदन के समय को ही बरबाद करेंगे । इसका उत्तर भी पहले दिया जा चुका है कि इस रुपये की देखरेख सरकार के कई अधिकारी करते हैं । एक्साइज ड्यूटी की देखरेख केन्द्रीय सरकार के अधिकारी करते हैं और प्रदेशीय अधिकारी भी देखते हैं । इन सब के रहते हुए सैस का रुपया कहीं और चला जाये यह तो सम्भव नहीं है विशेष तौर से जब कि इसका सम्बन्ध किसी एक ही प्रदेश से नहीं कई प्रदेशों से है । इस प्रकार का तर्क आपने मार्च में भी दिया था और इस समय भी कुछ लोग इस बात को कह रहे हैं और भविष्य में भी सम्भवतः कुछ लोग इसको कहें, लेकिन उसके लिए कोई आधार इस समय तक नहीं है ।

उत्तर प्रदेश की असेम्बली में भी इस बारे में चर्चा चली । वहां की असेम्बली में इस बारे में न तो कोई कानून आया और न ऐसी कोई घटना हुई कि हम समझें कि ऐसा कहना उचित है कि सैस में छट देकर उस रुपये को चन्दे के तौर पर पार्टी के लिए लिया जाता है । इसलिए जो उत्तर मैं ने पहले दिया था उसको मैं फिर नहीं दुहराना चाहता ।

यह कहा जाता है कि यह बिल जो अब लाया गया है इसको पहले ही ले आना चाहिए था । अगर इसको लाने में देर न होती तो ज्यादा अच्छा होता । यह बात सही है और इसको मानते हैं ।

जब यह चर्चा पिछली बार हुई थी तो सुप्रीम कोर्ट के निर्णय के बाद ही यह सारी आशंकाएं उत्पन्न हुई और केन्द्रीय सरकार को ऐसा बिल लाने की आवश्यकता पड़ी कि जो सारे देश को लागू हो । पिछली बार मार्च में उत्तर प्रदेश के सैस के सम्बन्ध में जो निर्णय सुप्रीम कोर्ट ने दिया था और उसके कारण जो स्थिति पैदा हुई थी उसको ठीक करने के लिए वह बिल लाया गया था । यह वर्तमान बिल केवल उत्तर प्रदेश के लिए नहीं है बल्कि भारत के अन्य प्रदेशों के लिये भी है । यह एक व्यापक बिल है जो कि सारे देश के लिए

[श्री विश्वनाथ राय]

लाया गया है । हो सकता है कि इसको उसी समय न लाने के कारण, जब कि उत्तर प्रदेश का बिल लाया गया, कुछ देरी हुई हो । लेकिन इससे कोई विशेष क्षति नहीं हुई है । यह कानून भविष्य के लिए तो नहीं है । यह तो उस चीज के लिए है जो बीत चुकी है और जो काम पहले हो चुका है उसी को कानूनी रूप देने के लिए यह बिल लाया गया है । इसलिए भविष्य के बारे में जो तर्क इस समय सामने आ रहे हैं उनसे इस का कोई सम्बन्ध नहीं है । जो काम पहले हो चुका है इस बिल का उद्देश्य उसको कानून रूप देना है ।

इस बिल के उद्देश्य के सम्बन्ध में हमारे विरोधी सदस्य श्री ब्रजराज सिंह जी ने और हमारे श्री झुनझुनवाला जी ने चर्चा की है । यह सही है कि जब शुरू में यह सैस एक्ट बनाया गया था तो उत्तर प्रदेश की सरकार के सामने यह सवाल था कि किस प्रकार गन्ने की खेती करने वालों को सुविधाएं दी जायें गन्ने की खेती और अन्य चीजों की खेती करने के लिए । उस समय सन् १९४७–४८ में गन्ना पैदा करने वाले किसानों का एक आन्दोलन चला था और १८ दिन की हड़ताल हुई थी । उस समय माननीय श्री केशव देव मालवीय उत्तर प्रदेश के उद्योग मंत्री थे । उन्होंने स्वीकार किया था कि किसानों की मांगों में औचित्य है और उनकी मांगों को पूरा करने का उपाय किया जायेगा । उसके बाद यह सैस की चर्चा चली और सैस का कानून बना । उससे किसानों को सुविधाएं मिलीं । यह बात सही है कि यह सैस जिस कार्य के लिए लिया जाता है उसका सारा अंश उसी काम में नहीं जाता । लेकिन जैसा कि अन्य उद्योगों में भी होता है उसी तरह गन्ने की खेती के सम्बन्ध में भी हुआ है । इस सैस का कुछ भाग अन्य कामों में भी लगाना पड़ता है जिनका सम्बन्ध मुख्य काम से है । अगर हम इस सारे सैस को केवल गन्ने की खेती के लिए ही दे दें तो जो उससे सम्बन्धित कार्य हैं जैसे कि सड़कों को बनाना, सिंचाई, बैलगाड़ियों में रबर के टायर लगाना आदि उनके लिए कुछ नहीं बचेगा, और अगर इन कार्यों की उन्नति न की जाये तो गन्ने की खेती की उन्नति भी पूरी नहीं हो सकती । ये छोटी मोटी चीजें भी गन्ने के उत्पादन से सम्बन्धित हैं और गन्ने का उत्पादन बढ़ाने के लिए इन की भी आवश्यकता है । इसलिए श्री झुनझुनवाला का यह तर्क कि हम इस सैस को केवल गन्ने के लिए इस्तैमाल करें, यह किसान के हित में नहीं होगा । माननीय सदस्य को यह जानना चाहिए कि गन्ने की खेती हमेशा एक ही खेत में नहीं होती, वह रोटेशन से होती है । इसलिए जिस चीज से अन्य खेतों का लाभ होगा उससे गन्ने के खेत को भी फायदा हो सकता है और जिस चीज से गन्ने के खेत को फायदा होगा उससे अन्य चीजों के खेतों को भी फायदा होगा । इसलिए यदि सैस को केवल गन्ने के खेतों के लिये ही काम में लाया जाये तो यह किसान के हित में नहीं होगा । गन्ने के विकास के लिए अन्य कई चीजों का विकास करना भी जरूरी है ।

श्री झुनझुनवाला : लेकिन यह सैस तो गन्ने के लिए ही लिया जाता है ।

श्री विश्वनाथ राय : ठीक है । लेकिन गन्ने का विकास करने के लिए जो अन्य साधन गन्ने के विकास के लिए आवश्यक हैं उनका भी तो विकास करना होगा । गन्ने के विकास के लिए उनका विकास भी करना आवश्यक है ।

मैं चाहता हूं कि यहां से प्रदेशीय सरकारों को भी इस तरह का आदेश दिया जाय कि जो केन सैस का रुपया वसूल हो उससे गन्ने की काश्त करने वाले किसानों को सुविधा दी जाय । मैं तो यह भी कहूंगा कि गन्ने का जो सैस का मामला है यह यहां तक ही सीमित न हो । मैं चाहूंगा कि शुगरकेन सैस के

वैलिडेशन की कानूनी त्रुटि को दूर करके जो लाभ होगा उससे हम केवल गन्ने के ही काश्तकारों को नहीं अपितु अन्य किसानों को भी सुविधाएं और राहत पहुंचायें । यह बात सही है कि इस कानून से जो त्रुटि अभी बाकी रहती है वह दूर हो जायगी और उसमें कोई कानूनी कमजोरी नहीं रह जायगी लेकिन इसी के साथ साथ यह भी व्यवस्था करनी जरूरी है कि इससे सम्बन्धित जो उद्योग धंधे और कार्य हैं उनको हम स्वावलम्बी बना दें । इस बिल का पहला उद्देश्य यही है और मैं चाहता हूं कि उसके बारे में हमारी केन्द्रीय सरकार का ध्यान और प्रदेशीय सरकारों का ध्यान अधिक से अधिक जाय ।

16 hrs.

अभी हाल की ही बात है कोई १०-१५ दिन पहले की बात है कि उत्तर प्रदेश की असेम्बली में वहां के मुख्य मंत्री ने उत्तर देते हुए कहा था कि उत्तर प्रदेश में लगभग ६० करोड़ रुपये का गन्ना किसानों ने फैक्टरियों के हाथों बेचा है जिसमें से कि ४ करोड़ रुपया बतौर गन्ने के मूल्य का किसानों को मिलना बाकी रहता है । अब किसानों को प्राकृतिक प्रकोपों का तो आये दिन सामना करना पड़ता ही है और उनका सामना करने की क्षमता तो उनमें रहती ही है और उसमें किसी का कोई वश भी नहीं चलता है लेकिन प्राकृतिक प्रकोपों के अलावा किसानों के लिए यह भी दिक्कत रहती है कि उनको उनके माल का उचित दाम समय पर नहीं मिल पाता है । इसलिए मैं सरकार का ध्यान इधर दिलाते हुए यह सुझाव दूंगा कि यह जो शुगरकेन सैस वैलिडेशन बिल आप पास कर रहे हैं, उसको काननी जामा पहना रहे हैं और खामियों को दूर कर रहे हैं तो उससे होने वाली आय के वास्ते आप एक पालिसी बनायें कि किसानों को अपना सामान बेचने के बाद भी जो उनको समय पर मूल्य नहीं मिलता है तो उनको राहत पहुंचाने के वास्ते कुछ धन सुरक्षित रहे । अब यह कोई किसी एक साल की बात नहीं है । हर साल ही करोड़ों रुपया किसानों का बाकी रह जाता है और वह बकाया रकम दो, चार महीने बाद नहीं बल्कि साल साल भर बाद मिलती है ।

उत्तर प्रदेश में किसानों की काफी रकम बकाया रह जाती है और इस बिल पर बहस के समय मैं आपके द्वारा केन्द्रीय सरकार का और राज्य सरकारों का ध्यान आकर्षित करना चाहता हूं कि आज किसानों को सचमुच में इस योग्य बनाने की आवश्यकता है ताकि वह अधिक उपज कर सकें, गन्ने की खेती का अधिक विकास कर सकें और उसके लिए इस बात की जरूरत है कि उनको जो आर्थिक कठिनाइयां झेलनी पड़ती हैं और रुपये की कमी उनको एक दो साल नहीं बल्कि हर साल पड़ती है और करोड़ों रुपया किसानों का ६-६ महीने और साल साल भर तक बकाया रहता है तो उनको राहत पहुंचाने के लिए इस शुगरकेन सैस से जो पैसा वसूल हो उसमें से कुछ हिस्सा इसके लिए सुरक्षित रखा जाय । उचित तो यह होता अगर जो ऐक्ट पहले पास हो चुका है उसे स्वीकृति देते समय एक ऐसा क्लाज लगा देते जिससे उन किसान वर्कर्स को जिनके कि हित के लिए वह कानून बना और इस वक्त उसको कानूनी स्वीकृति देना चाहते हैं, उनको जो महीनों उनकी फसल की कीमत नहीं मिली और जिसके कि कारण उनके कृषि के कामों में या अन्य कार्यों में क्षति पहुंची वह न पहुंचती और वह दूर हो जाती ।

चीनी उद्योग के बारे में कई बार वाद-विवाद हुआ और बहुत से तर्क उपस्थित किये गये । चीनी का उद्योग भारत में दूसरे नम्बर का धंधा है और आज गन्ने के काश्तकारों को उनके माल के एवज में जो उचित दाम नहीं मिलते हैं और पेमेंट पूरा नहीं होता है और बकाया रहता है और उसके कारण उनको आर्थिक कठिनाई झेलनी पड़ती है उसको दूर करने के लिए ऐसी व्यवस्था करनी

[श्री विश्वनाथ राय]

जरूरी है जिससे किसानों को उनके माल के उचित दाम समय पर मिल जायें ।

दिन प्रति दिन हमारा गन्ने का उत्पादन और चीनी का उत्पादन बढ़ रहा है और यह तो आप जानते ही हैं कि चीनी के उत्पादन के संबंध में हमारी द्वितीय पंचवर्षीय योजना में जो लक्ष्य रक्खा गया था उससे हम बहुत आगे बढ़ चुके हैं । जहां हमारा ४५ लाख एकड़ का उत्पादन का लक्ष्य था उसके बदले ४७ लाख एकड़ पर गन्ने की खेती होने लगी है और आशा की जाती है कि इस वर्ष यह जो सन १९६१ -६२ का सीजन है इसमें ४ लाख एकड़ और बढ़ जायेगी । यह एक बढ़ती हुई खेती है जिसका कि विकास हो रहा है और विकास होने में बहुत बड़ा भाग इस ऐक्ट का रहा है जिसे कि आप कैन सैस ऐक्ट कहते हैं । अब हम इस विकास में केवल एक्रेज ही न बढ़ायें गन्ने की खेती की भूमि ही न बढ़ायें बल्कि इस मिलने वाली सुविधा का पूरा लाभ उठायें और किसानों को उसमें से राहत प्रदान करें ताकि वह प्रति एकड़ अधिक पैदावार कर सकें । अब यदि प्रति एकड़ पर गन्ने का उत्पादन बढ़ जाय तो अवश्य ही चीनी का दाम भी कुछ सस्ता होगा और उससे किसानों को किसी तरीके की क्षति नहीं होगी क्योंकि उतने ही खर्चे में यदि वह एक एकड़ में अधिक गन्ना पैदा कर लेते हैं तो उनको लाभ होगा क्योंकि उनको अधिक दाम पहले के मुकाबले मिल सकेंगे जबकि प्रति एकड़ खर्चा उनका वही है । इससे चीनी की दर भी कुछ कम कर सकेंगे । मैं यहां पर यह चीज बिल्कुल स्पष्ट कर देना चाहता हूं कि अगर गन्ने का उत्पादन करने वाले किसान के हित पर आघात करके और केवल चीनी के उपभोक्ता के स्वार्थ को ध्यान में रख कर कोई काम ऐसा किया जाता है जिससे कि किसानों को नुकसान पहुंचता है तो उपभोक्ता को वास्तव में लाभ नहीं पहुंचेगा । अब गन्ने का उत्पादन नहीं बढ़ता है तो जाहिर है कि उपभोक्ता को उसमें नुकसान ही होगा । इसलिए इस बिल का जो उद्देश्य है उसकी पूर्ति के लिए यह आवश्यक है कि उन सुविधाओं को किसानों के वास्ते प्रस्तुत करें जिनसे कि प्रति एकड़ गन्ने की पैदावार बढ़े और आज किसानों को जो कठिनाइयां हैं जैसे कि उनको अपने माल के दाम समय पर नहीं मिलते हैं, वह कठिनाइया दूर हो जांय और शुगरकेन सैस के रूप में जो पैसा वसूल होता है उसका पूरा पूरा लाभ किसान उठा सकें ।

जहां तक इस बिल का संबंध है सभी सदस्य इसका स्वागत ही करेंगे । सारा सदन इसका स्वागत करता है और पिछली बार भी सदन इसका स्वागत कर चुका है। अब विवाद इस बारे में हो सकता है कि इस बिल के जो उद्देश्य हैं वह कैसे पूरे किये जांय । अब जहां तक विरोधी पार्टी के सदस्यों का रूलिंग पार्टी या कांग्रेस पार्टी पर यह आरोप लगाना कि सैस से वसूल होने वाले रुपये का उनके द्वारा दुरुपयोग होता है या वैसा कर सकती हैं यह बिलकुल निराधार आरोप है और इसमें कोई सच्चाई नहीं है । सन् १९४८-४९ के बाद से चीनी के बारे में कांग्रेस सरकार ने जिस नीति को अपनाया है और उसके लिए ऐक्ट बनाया उसके कारण आज हम अपने देश को चीनी के बारे में न केवल आत्मनिर्भर बना सके हैं वरन् चीनी का निर्यात करने की स्थिति में पहुंच गये हैं.....

श्री ब्रजराज सिंह : इसमें सरकार का क्या हिस्सा है, यह तो किसानों ने किया है।

श्री विश्वनाथ राय : यह ठीक बात है कि किसानों ने चीनी का उत्पादन बढ़ाया है लेकिन यह भी सही है कि आप उनके लिए साधन उपस्थित करते हैं और उनको अन्य आवश्यक सुविधाएं सुलभ करते हैं और उसके परिणामस्वरूप जो लाभ होता है वह केवल किसानों का ही नहीं अपितु सारे

समाज का होता है। ऐसे ही यह सरकार यहां पर है वह देश के हित को खयाल में रख कर किसानों को आवश्यक सुविधाएं सुलभ करती है। उसी तरीके से आप करते हैं और उससे उन पर प्रभाव पड़ता है।

इस ऐक्ट के द्वारा उनको प्रोत्साहन मिला है और यह सिद्ध हो गया है कि देश चीनी के बारे में न केवल आत्मनिर्भर बन सका है वरन वह अपनी चीनी बाहर निर्यात करने की स्थिति में पहुंच गया है। इस मौजूदा बिल से हांलांकि निर्यात का कोई संबंध नहीं है तो भी मैं बतलाना चाहता हूं कि अगर हम किसानों को सुविधाएं देते रहे और जो इस बिल का उद्देश्य है उसको पूरा करते रहे तो हम निर्यत के संबंध में काफी आगे बढ़ जायेंगे। बस और अधिक न कहते हुए मैं इस बिल का समर्थन करता हूं।

Shri N. B. Maiti (Ghatal): Mr. Chairman, Sir, I welcome this Bill as it validates certain Acts of the States and seeks to amend the U.P. Sugarcane Cess (Validation) Act. This has been occasioned because of the judgment of the Supreme Court invalidating the U.P. Sugarcane Cess Act. In validating this Act, I believe fears have been expressed by certain hon. Members to the effect that the objects of the State Acts might be taken out of sight and the provisions contained therein for the development of sugarcane cultivation and of the industry in general might suffer. I do not find any reason for such fears coming in, because this Bill validates those Acts and that does not mean that it invalidates the purposes for which those Acts were passed. Of course, in case there has been any failure in fulfilling the objects for which these cesses were introduced, then it is certainly within the scope of the Central Government to give instructions to the States so that the purposes for which those Acts were enforced could be kept in view and could be more fruitfully given effect to.

Some of my hon. friends have welcomed this Bill, but in welcoming it, they have given expression to these fears. I hope the hon. Minister would kindly set those fears at rest by giving an assurance that the Ministry or the Government would take care to see that the purposes for which those Acts were passed will be fulfilled more forcefully than ever.

Shri Tyagi (Dehra Dun): Before the Minister begins his reply, I would request the Minister to acquaint the House, if not today, at least later on, as to how much amount had been received by the various Governments on account of the sugarcane cess, what proportion of it has gone into the general revenues and what proportion has been used for the purpose of developing the cane crop,—the quality of cane,—and for laying roads, etc., and other facilities in the sugarcane factory area. If these figures are available now, I shall be obliged. If not, I hope that the Central Government will at least acquaint themselves, and this House, with the information as to how the cess money is utilised. I am afraid most of it is going to the general revenue and only a very little portion of it is spent on development, either of the area or of the development of the crop itself.

Shri B. R. Bhagat: Mr. Chairman, I may first refer to the point made by the hon. Member who intervened and asked a question. The figures that are available with me relate only to the amount of cess that has been collected and which we want to validate so that it may not lapse. As for the other figures showing how much has gone to the development of sugarcane and allied purposes, how much has been appropriated for the general revenues, etc., I am afraid they are not available, because they

[Shri B. R. Bhagat]

have to be collected from the various State Governments. While moving the motion, I gave this figure, namely, in respect of Uttar Pradesh, the amount involved is Rs. 45 crores. That was collected during this period. If this Validation Bill is not passed, then we will have to refund Rs. 49 crores in respect of States other than Uttar Pradesh.

An Hon. Member: For what period is it?

Shri B. R. Bhagat: For the period upto the date of validation. Fro all the States it is Rs. 94·47 crores. The amount involved is very substantial, and that is why a Bill of this nature has to be brought before this House.

Shri Tyagi: I wonder if the Government could give instructions to the States or at least remind them that it is their foremost duty to use the bulk of this cess for the purpose of development of sugarcane industry. At least in my State I would like that to be done.

Mr. Chairman: I think the hon. Member Shri Tyagi is working under an assumption. The State Governments have come forward and they have stated that whatever their earlier promises may be, the cesses that are being collected are not for any specific purpose but that they are part of the general revenues. And, since the hon. Deputy Minister is not in charge of the portfolio of food and agriculture and he is here only for a specific purpose I do not think this question can be addressed to him. Anyway, if the hon. Deputy Minister can clear this point, be may do so.

Shri B. R. Bhagat: Sir, you were good enough to point out that a State Government would not generally commit itself to an expenditure under this head in only a certain way. So far as the question of utilising this money for the development of sugarcane and allied purposes is concerned, the first point is that all this money has already been spent and nothing remains.

Mr. Chairman: The point is whether this money was collected for a specific purpose.

Shri B. R. Bhagat: This point is rather controversial. No State Government will commit itself to utilise the whole amount for only a specific purpose.

Shri Braj Raj Singh: Has the hon. Deputy Minister seen the Uttar Pradesh Act? It is specifically mentioned there.

Shri B. R. Bhagat: I have all the Acts before me.

Shri Braj Raj Singh: But he has not seen them.

Shri B. R. Bhagat: No. The hon. Member might have read them thoroughly. I do not claim to have read the Uttar Pradesh Act as thoroughly as he has, but oftentimes he misreads or misrepresents things; that is the difficulty.

I am only pointing out that all the State Governments as also the Central Government are concerned in the development of sugar industry in a proper way because, as has been pointed out by the hon. Member, the sugar industry has come to occupy a very important place in the economy of the country. If you look at it from the revenue point of view it is one of the biggest revenue earners. If you look to the economy of some of the States, sugar has a very important place there. Therefore, as for the promotion or development of sugar industry no State Government will neglect it, nor will the Food and Agriculture Ministry which is primarily concerned with this subject neglect it. As for giving the specific information, how much money has been actually spent in each State, the

House will appreciate that that information will not be readily available with me or with my Ministry. It can only be collected if proper time is given and the channel through which it can be collected is the Food and Agriculture Ministry who are intimately connected with this subject

There is also one other point. The hon. Member pointed out that in the Act it is provided that this money will be specifically spent for that subject. I am sure the Audit will object if it is not spent in that way. It is very obvious. If the law provides that a certain money has been earmarked for a particular purpose, it is our common experience—the Public Accounts Committee knows it and everybody knows it—that if that money is not spent for that particular purpose, the Comptroller and Auditor-General will object and say that the money has not been spent in the proper way or for the approved purpose. So, on that score I would like to disabuse the minds of hon. Members.

Shri Naldurgkar (Osmanabad): Sir, this Act is a Validation Act. By the Supreme Court judgment it was decided that the premises of certain factories were not within the definition of 'local area' and there was no other item which could authorise the State Government to legislate on that point. Therefore, now the Central Government has approached the Parliament to validate all those laws retrospectively. If that is the case, then, this is within the competence of Parliament and the Union Government. Therefore, if retrospective effect is given, then all amounts collected by the States, including the amount collected by the UP Government. Therefore, if retrospective effect is given, then all amounts collected by the States, including the amount collected by the UP Government, will go to the Central Government and not to the States. That is the point that must be clarified.

Mr. Chairman: I am not clear whether the hon. Member is raising a point of order or he just wants to intervene and make highlight of a particular aspect.

Shri B. R. Bhagat: I quite agree that as a result of the way the validation is taking place, technically, legally and constitutionally it will form part of the Consolidated Fund of the Central Government. That is a technical point which has no practical importance. We can make constitutional or technical arrangement, that has been done and that arrangement will be looked after. But, according to the legal advice that I have obtained, the point raised by the hon. Member is correct.

I am grateful to the House for its unanimous support to this measure. Though many points have been raised, I think there are very few points which are relevant. Others are very laudable and on a subject like sugar, which is sweet, they can be raised without making it sour, but I may tell the House that whether it is a question of development of sugar industry, or bringing down the cost, or the promotion of exports, all these are important problems which need not be raised in an incidental manner over a Bill like this. The House has discussed in the past all these big questions affecting the nation and the national economy, and they can be discussed again. And if they are raised in a forthright and straightforward manner, I am sure the Government and particularly the Minister of Food and Agriculture, will reply to it and deal with it, as he has been dealing with it in the past. So far as many of the points that have been raised about the sugar industry are concerned, we are in agreement with him and we can discuss them. My only grouse is that the hon. Member need not take his opportunity of raising it in an incidental manner, in stead of raising a debate over it, for we always welcome discussion of this problem of vital importance.

The hon. Member, Shri Banerjee, asked when we orginally put forward

[Shri B. R. Bhagat]

a Bill in March we did not take care to validate all the other State Acts and why we had to wait for so many moths and then come before the House. The point is that when the UP Government were faced with this, after having got the Supreme Court verdict against them, they approached us with this problem, we examined particular aspects of the problem and then came before the House. Till then, no other State Government had approached us. We cannot act *suo motu* of our own volition. Meanwhile, the other State Governments have also examined this question and the Supreme Court judgment and they have now come forward with a specific request to validate their Acts also, and that is why we could not do it at that time and we are doing it now.

Even now, the arrangement is, as the hon. Members will see, that we have taken the powers and it will come into force by notification in the Official Gazette on different dates which may be appointed for the different States. Because, each State has its own problem. U.P Government has a particular problem, Maharashtra Government may have another and Mysore Government may have yet another. So, they are examining the case from the point of view of the problem they are facing as a result of this judgment.

Then I come to the point raised by Shri Mahanty.

He said the fundamental problem is: What will be the arrangements that you will make? I said while moving the motion that we advised the State Governments. We gave general advice about what arrangements they should make in future. But he said that the only arrangement can be that the Constitution should be amended. We examined that question also. But we came to the conclusion that on this matter we need not resort to a question like amending the Constitution so that the Entry in the State List should be rectified. We can deal with it in a different way.

I am told, for example, in U.P. they have already introduced purchase tax, instead of this cess because they cannot do it after this Act was invalidated, so as to get all this money. Maharashtra may find another way. Mysore will find another way. But all the State Governments who are faced with this situation are grappling with this problem. In the conditions which obtain in their own States about the sugar industry and management—some industries have their own farms; others do not have them—they are trying to rationalise all these local problems and find out a way in which they will tackle it. That is the reason why we have appointed different dates for different States when this Act will come into operation. Unless the State Governments come to us with their specific problems we are not in a position to come forward with a measure like this.

Shri Banerjee said: How much of the Rs. 45 crores was utilised and how much is left over? I think there is some confusion. All the Rs. 45 crores in UP were realised and they have spent all that. Then he raised the question of remission.

Shri Braj Raj Singh: You have admitted in answer to a question that Rs. 367 lakhs are in arrears.

Shri B. R. Bhagat: Arrears are different. His question was: How much of this Rs. 45 crores with which the UP Government is concerned, has been utilised and how much is left over? I said that this is all realised and it has all been spent. The arrears are in respect of other years. Rs. 45 crores is all that has come to the Consolidated Fund of the State of UP.

As for remission, the State Government is naturally interested in realising all the revenue. It is primarily their function. Similarly, they have the power to give remissions not only

under this Act but also, say for example, under the Land Revenue Collection Act. All such remissions are given when a set of circumstances prevail. We have heard of cases in which land revenue has been remitted or stayed over or postponed. All these realisations have been postponed. If a particular factory or if a particular situation demands that in order to help them or that it has become such a liability, there might be cases of temporary remission or postponement of realisation of this cess. There might be—I do not know. But generally we know the situation. I am sure that in the situation as it is with the question of development expenditure and the State Government trying to develop all the resources, I do not think any State Government will leave an amount over Rs. 3 crores unrealised, much less the UP Government. So, even the politics of sugar is not such that the hon. Member would come forward in and out of season to strike the Government.

Shri Braj Raj Singh: And you will plead without knowing it.

Shri B. R. Bhagat: I also live in this country and not very far from UP.

Shri Tyagi: He also eats sugar.

Shri B. R. Bhagat: I think these were some of the points raised. An hon. Member said about appointing a Commission to go into the field of State taxation, because of the judgment of the Supreme Court. I do not think that this judgment of the Supreme Court or any other judgment like this which invalidates a State law of taxation or a Central law has created a situation that we should go *de novo* into the resources of the State sector. While formulating the Third Plan or earlier, we have gone deeply into this question. Whatever resources were set apart for the States, they were determined with a view to their capacity to raise resources. Any such individual Acts or any such individual decision by the Supreme Court may create only difficulties; but the remedies are there. If there is the will and determination, I do not think there will be any insuperable difficulty in raising resources for the State sector. The question of appointing a Commission to go into the resources or the whole field of State taxation does not arise out of stray decisions of the courts.

With these words, I again congratulate the House for giving their unanimous support to this Bill.

Mr. Chairman: I will put the motion to the vote of the House. The question is:

> "That the Bill to validate the imposition and collection of cesses on sugarcane under certain State Acts and to amend the U.P. Sugarcane Cess (Validation) Act, 1961, be taken into consideration."

The motion was adopted.

Mr. Chairman: There are no amendments. The question is:

> "That clauses 2 to 5 stand part of the Bill."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

Mr. Chairman: The question is:

> "That clause 1, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

Shri B. R. Bhagat: I move:

> "That the Bill be passed."

Mr. Chairman: The question is:

> "That the Bill be passed."

The motion was adopted.

16.33 hrs.

DELHI MUNICIPAL CORPORATION (AMENDMENT) BILL

The Minister of State in the Ministry of Home Affairs (Shri Datar):

Mr. Chairman, I beg to move*:

"That the Bill further to amend the Delhi Municipal Corporation Act, 1957, be taken into consideration."

This Bill has been brought forward principally with one object in view, namely, the splitting up of constituencies. You are aware, Sir, we already taken a decision and certain changes have been made in the other Act according to which a double member constituency was to be split up into two and one of them was to be reserved for the Scheduled Castes or the Scheduled Tribes as the case may be. So far as the Delhi Municipal Corporation Act was concerned, it was devised on just a slightly different basis. Because, here we had certain double member constituencies and we had also three-member constituencies. It was naturally considered that all the constituencies in respect of all the 80 elective seats ought to be single-member constituencies and twelve have to be reserved for Scheduled Castes. For that purpose, this Bill had to be brought forward because elections are likely to be held next year and therefore, the sooner this is done, the sooner double or three-member constituencies are split up, the better. Because, a member of steps will have to be taken in this respect. It is for this purpose that certain amendments in the present provisions of the Delhi Municipal Corporation Act, namely section 5 have been proposed.

In addition to this, advantage was taken to make certain further amendments, about 8 or 9 principal ones. Certain difficulties were felt and therefore, it was considered necessary that on this occasion other amendments also may be placed before the House and their consent taken for amending the law to that extent. Therefore, what has been done is, with this, other important amendments and a few incidental ones have also been included in the present Bill. I would like to mention very generally the nature of these other amendments.

For example, you will find that in respect of section 113(2)(d), a technical difficulty arose, and, therefore, an amendment was sought. In that section, the word 'supply' had not been used. But under this Act, we had to supply electricity amongst others to two important bodies. Therefore, the question arose as to whether this supply could be made under the Act. For example, the NDMS and the Military Engineering Services had to be supplied with electricity, but the present Act made provision only for its sale, and the word 'supply' had not been used at all. Here, the supply was in bulk. The question arose whether for this supply the Delhi Municipal Corporation was entitled to get full remuneration or full price including the tax. A technical objection was raised. Naturally, they are entitled to raise the technical objection that inasmuch as the word 'supply' had not been used, therefore, the supply should not necessarily be considered as a sale.

In respect of this question, the highest legal opinion as taken, and they stated that it would be better to have an amendment of the Delhi Municipal Corporation Act and place the word 'supply' also beyond any reasonabgle doubt, so that for this bulk supply also, the Delhi Municipal Corporation will be entitled to claim its price. That has been done in this Bill and that constitutes the next important amendment to this Act.

Then, other difficulties also arose. You will find that certain lands had

*Moved with the recommendation of the President.

to be transferred to evacuees under an Act known as the Displaced Persons Compensation and Rehabilitation Act. You are aware that we had to deal very largely with the displaced persons here, and property had also to be given to them. Thus property was given to them, and possession was also given to them. But it was laid down that whatever price had to be paid by them was to be paid in certain instalments. Whenever such Government property has to be given, what happens is that though the actual possession was transferred to the transferees, technically, under the Delhi Municipal Corporation Act, the title remains with Government. Inasmuch as the title remained with Government, and Government property was immune from taxation, the transferees, therefore, claimed that they were not entitled to pay any taxes at all in respect even of services like the fire service and other services. That also was a highly technical objection, for, if one has been in possession, and if one receives services from those whose statutory duty it is to provide those services, then, normally, according to the usual commonsense, one is bound to pay for those services. But, a technical advantage was taken, and it was contended that inasmuch as the title to the property did not technically pass to the transferees until the last instalment was paid—and the last instalment would be paid after a number of years—the property in law continued to be the property of Government, and inasmuch as under the Delhi Municipal Corporation Act, Government property is exempt from such taxation, therefore, the transferees also claimed that they were not bound to pay any taxes at all. It was a very unusual objection that they raised, and it was a very unusual stand that they took, but that had to be met. Therefore, what has now been done is that sections 119 and 120 have also been sought to be amended. It has been stated that these transferees who are in possession of the property would be liable to pay the tax from the date of the establishment of the Corporation or from the date the actual possession was transferred to them, whichever is later. This is a perfectly equitable and understandable arrangement, because if you are in possession of a property and if you enjoy the services, you are bound to pay, even though technicaly the title to the property vests in the Government. Accordingly, these changes have been made in sections 119|120.

The next change that has been made is more or less with the object of avoiding delays. Whenever houses have to be taxed, a certain procedure has to be gone through. The rateable value has first to be fixed. After that, a certain percentage—it may be between 10 and 20 because it is for the Municipal Corporation to fix up that particular ratio—is fixed. Then on the basis of the rateable value of the property, a list, known as the assessment list, is prepared. The actual amount of tax that has to be paid by the owner or the occupant is also mentioned. This double process of fixing up the rateable value and then publishing also the assessment list led to considerable delays. On account of certain unforseeen difficulties that remained, the tax could not be recovered for all the period. For that purpose, it has been proposed to make certain amendments.

When a rateable value has been fixed, then a certain percentage automatically constitutes the tax that has to be paid by the owner or occupant of the particular house or property. It is not necessary that actually the assessment list should be prepared fully, because that takes a lot of time. Therefore, it is considered necessary that this double process of putting down what is obvious should be avoided. The owner or occupant of the property can easily find out from the rateable value the amount or quantum of tax to which he would be liable, because that depends upon the percentage. Hence this circumstance which led to delays has also been eliminated.

[Shri Datar]

What happened was this. In certain cases, notice was first given. The assessment list was prepared. Sometimes delays occur. As the Act stands at present, the amount would be recovered only after the assessment list has been duly prepared. Thereby, what sometimes happened was that certain parties of assessees or owners of the properties had not to pay any tax at all on account of the technical difficulty. Whenever a notice has been given in this respect, the tax can be recovered from the date of the notice. That also has been provided for.

The next amendment is in respect of cows. The general view was that all the cows should be exempted from tax. You can understand the great difficulty and inconvenience in allowing so many cows to be lodged in the houses, thereby creating certain problems bearing on sanitation and health as well. But all the same, inasmuch as a claim had been made that in respect of a milch cow some exemption ought to be granted, that principle was accepted, *viz.*, for a family, one cow shall be exempted from tax.

Shri Tangamani (Madurai): Why not include she-buffaloes also?

Shri Datar: If a man is in possession of more cows than one, you would agree that he has so many heads of cattle for the purpose of trading in milk and not necessarily for the purpose of using milk for his family.

Shri Tyagi (Dehra Dun): A family has to keep two cows, because when one cow goes dry, another cow must be used.

Shri Datar: That question was considered. It was a matter of revenue also. For each cow, Rs. 30 is the maximum tax per year. That also may be taken into account. Considering the desirability of allowing one family to have at least one cow, two principles were accepted. If a man has only one cow, the presumption is the milk of that cow is utilised for the family itself and the family is entitled to exemption. If the man goes a step further and if he has got more than one milch cow, he will be liable to pay the tax in respect of all the cows together, because then it ceases to be a question of milk for the family; it becomes a question of trading in milk and making money.

Shri Tyagi: I am afraid the hon. Minister has not followed my orgument. For the sake of keeping a cow for family use, two cows are necessary, because one goes dry for half the year.

Shri Datar: I am just pointing out the present amendments. He may give his suggestions during his speech and we will consider them.

A resolution has also been passed by the Corporation and they made this suggestion, which we accepted.

Therefore, amendments have to be made in section 137 by adding sub-clause (d).

Then, there are occasions when under the Act, taxes have to be refunded when the property remains vacant or when it is unproductive. The provision in the original Act was rather stringent. It was stated that if, for a particular period, a property had remained either vacant or unproductive, the tax had to be refunded by the Municipal Corporation. That was considered as rather harsh. So, it is now proposed that this refund has to be confined only to a certain fraction—in respect of houses, it may be two-thirds and in respect of land it may be half. Otherwise, the Corporation will have to refund a very large amount. That constitutes some element of inequity also. Therefore, that also has been proposed.

The next amendment is in respect of section 343 which has been substituted by another provision. It deals

with the demolition of unauthorised erections. As hon. Members are aware, Delhi is a place which is almost notorious for these unauthorised erections.

Shri Braj Raj Singh: (Ferozabad): Because of you.

Shri Datar: Not because of us, but because of a number of other circumstances which I might point out to the hon. Member if he desired. What happens is that overnight a building arises, overnight a hut or a *Jhompdi* as they call it arises with a veiw to make it a settled fact, and therefore Government have to take steps. Sometimes you would agree these steps should be as summary as possible; otherwise, if it becomes a nuisance, and if nothing can be done immediately, if the matter every time has to go to the court, then a number of difficulties arise, and the whole question of the improvement or the development of Delhi is held up. That also may kindly be considered. It is for this purpose that section 343 has to be dealt with properly.

I would invite the attention of hon. Members to a resolution passed by the Delhi Municipal Corporation. They have stated that they should be armed with summary powers of demolition. As you are aware, ordinarily the civil courts have jurisdiction in such matters, and oftentimes stay orders are passed, injunctions also are passed. and the whole work is held up. What has been proposed is that in proper cases, to a certain extent resort to a court of law is allowed by way of appeal, but in other respects, it would be difficult to allow all these processes of law to be gone through and the whole work held up. Therefore, what has been done is that it would be open to the aggrieved person in a case where an adverse order is passed in the course of the summary power of demolition, to file an appeal within 15 days before the District Judge. And then a provision, a fairly important provision has also been introduced. If litigants have to go to a court and obtain stay orders as a matter of course, then difficulties arise, and there is great loss to the authorities concerned. It is not stated that stay orders should not be passed at all, but a provision has been made that whenever stay orders are asked for, a substantial security has to be furnished before the court can pass a stay order.

As I have said, rights have been duly safeguarded. The procedure in respect of the safegurding of rights has also been followed by allowing an appeal to be filed, but as early as possible. It should not be like ordinary civil suits or civil proceedings, where they take a lot of time. In some cases it may go on for one year or more than one year. Especially, the lawyers in this House might know how the matter takes a long, sometimes inordinately long time. So, that also has been provided for, and it is stated that when, in the course of summary powers of demolition adverse orders are passed, the aggrieved party can approach the District Judge within 15 days, and if he asks for a stay order, he has to furnish security. Therefore, I am confident that the main principles of safeguarding the rights without causing inordinate delays have been kept in view by these two provisions, namely the provision to file an appeal as early as possible, and the need to furnish security if you ask for a stay order. In other words the litigant is entitled to ask for a stay order. But after a stay order is passed, you will find that things are allowed to remain as they are for months, if not for a period even beyond a year. So, a valuable safeguard has been provided for by stating that in case such an aggrieved person wants a stay order, then he shall furnish substantial security. This is quite a usual expression. The security ought to be of a substantial and satisfactory nature to the authority concerned. For that purpose, section 343 has been completely recast.

[Shri Datar]

The last is section 460. It deals with the election petitions. It is more or less a formal matter. A district judge has jurisdiction in some matters he can receive petitions and dispose of them. But inasmuch as the District Judge of Delhi has a lot of miscellaneous and varied work, he is allowed to have a number of additional judges for carrying on his work. As the law stands at present, it became more or less necessary that an election petition ought to be disposed of only by the district judge. There are provisions in the various Acts which deal with the powers of the district judges that whatever a district judge can do can also be done by the additional district judge. These powers have got to be delegated to the additional district judge. That lacuna remained in the original Act and that has been removed. Now, in this case, the additional district judge has the power of disposing of election petitions as well. Otherwise, if only a district judge were to dispose of them, then inordinate delays occurred. As I had pointed out, here in Delhi he had civil work, criminal work and a number of miscellanous matters to be disposed of. As lawyers can easily find out under the Guardian and Wards Act and under certain other Acts, it is only the district judge who has got certain official powers to dispose of these applications which can be considered more or less as a miscellaneous sort of work. It was considered necessary that in proper cases, the work of dealing with or disposing of such election petitions ought also to be delegated by the district judge to the additional district judges. This is more or less an enabling provision. If he himself has sufficient leisure, certainly he can dispose of the election petitions himself. But if he finds that he has been overburdened with work and if he feels that a part of that work including the petitions under the Delhi Municipal Act can be transferred to the additional district judge, then naturally the work can be disposed of early. With a view to meet that difficulty, this provision has been made.

We have got some provisions in respect of the other Acts also. These are the main amendments. There are certain other extremely minor amendments to which I need not make any special reference. These are the eight or nine principal amendments besides the one which compelled us to bring in this Bill at this time; that one amendment is with regard to the splitting up of the wards or the constituencies. That is a most important task before us. As the general elections to the Delhi Municipal Corporation are likely to be held early next year, a provision has to be made with regard to that matter.

17 hrs.

In this connection, an hon. Member raised the question whether it would be possible at this time to raise the number of Delhi municipal councillors. Under the present Act, the number is 80. 80 councillors have to be elected. Six are aldermen. So far as this number is concerned, it is possible under the present provisions to raise the number provided we have got the authorised figures about the population of Delhi. The population of Delhi has increased; that is what we know. But still, we have not got the full, authorised census figures for the purpose of taking further action in this matter. I may point out that the Delhi Municipal Corporation Act provides that the number can be increased subject to the maximum of 100. That provision could not be availed of for the simple reason that we have not got at present the detailed figures not only regarding Delhi city in general but the various wards. The constituencies will have to be re-formed and that will take a lot of time, and the greatest difficulty that we have is that we have not got full figures so far as the various parts of Delhi are concerned. Therefore, it

was not possible at this time to increase the number of wards or to increase the number of councillors of the Delhi Municipal Corporation. That has to be left to a future date, when the detailed figures are available to us.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Delhi Municipal Corporation Act, 1957, be taken into consideration."

17.03 hrs.

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

'In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Income-tax Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 28th August, 1961, and transmitted to the Rajya Sabha for its recommendations on the 30th August, 1961, and to state that the Rajya Sabha at its sitting held on the 4th September, 1961, recommended that the following amendments be made in the said Bill:—

Clause 13

1. That at page 23, line 24, after the words "this Act," the words "any income thereof," be *inserted.*

Clause 88

2. That at page 73, *after* line 18, the following be *inserted,* namely:—

"(6) Notwithstanding anything contained in sub-section (5), this section shall apply to donations given for the renovation or repair of any temple, mosque, gurdwara, church or any other place which is notified by the Central Government in the Official Gazette to be of historic, archaeological or artistic importance."

Clause 288

3. That at page 177,—

(i) *after* line 31, the following be *inserted,* namely:—

"(*v*) any person who has passed any accountancy examination recognised in this behalf by the Board; or

(*vi*) any person who has acquired such educational qualifications as the Board may prescribe for this purpose; or";

(ii) in line 32, *for* the brackets and letter "(*v*)" the brackets and letters "(*vii*)" be *substituted.*"

17.05 hrs.

INCOME-TAX BILL, 1961

LAID ON THE TABLE AS RETURNED BY RAJYA SABHA WITH AMENDMENTS.

Secretary: Sir, I lay on the Table of the House the Income-tax Bill, 1961 which has been returned by Rajya Sabha with amendmenfs recommended by Rajya Sabha.

17.06 hrs.

EDUCATION OF GIRLS AND WOMEN*

Mr. Chairman: The House will now take up the half-an-hour discussion. Shrimati Renu Chakravartty.

Shrimati Renu Chakravartty (Basirhat): I rise to initiate a discussion on the allocations made to women's education in the Third Plan. There was a Starred Question on the 14th August, 1961, in answer to which the Minister had made two statements which to my mind have confused the issues and misled this House. The

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*Half-an-Hour Discussion.

[Shrimati Renu Chakravartty]

first point is that out of a total allocation of Rs. 408 crores for general education in the third Plan, about Rs. 175 crores will be devoted to the education of girls, out of which Rs. 114 are for education in the primary and middle stages. By stating this, it would look as if girls' education, which is lagging far behind that of boys even in the primary stage, has been allocated Rs. 175 crores. This is an incorrect statement in the sense that there is no such special allocation separately stating that Rs. 175 crores are to be given for girls' education. It is a mathematical jugglery based on wishful thinking. The targets for the Third Five Year Plan as they have been laid down show that we have to have an additional 86 lakh girls going to schools against 70 lakh boys. Although the figures are 86 lakh girls and 70 lakh boys, one has to remember that the overall targets will be only 61 per cent in the case of girls in the age group 6 to 11 whereas the boys will have reached by the end of the Third Plan 90 per cent, which more or less means total primary education for the boys by the end of the Third Plan whereas for girls it will be only 61 per cent. But the increase in the number, as I stated before, will have to be 86 lakhs in the case of girls and 70 lakhs in the case of boys. Therefore, by mathematical calculation based upon the total overall figure, since the amount to be spent on general education in the primary and middle stages is Rs. 209 crores, possibly our Education Minister told us that Rs. 175 crores is allocated for girls' education.

Now, this is a fallacious mathematical calculation. Why? Because we have not taken into consideration the real reason why there is such a lag in girls' education. Even in places like Bengal or Bombay which are comparatively more advanced in the matter of women's education the lag is very wide. Even where there are schools the number of girls going to schools is much less due to socio economic reasons, social conservatism and various other economic factors. If there are two or more children, the mother would like to keep her girl in the house, instead of sending her to a school, to help her with the children. Then, in many places they do not like to send girls after 10 or 11 years of age to co-education schools. Generally we have co-education schools in the primary stage.

Now, a booklet has been given to the members of the Central Advisory Board of Education giving the figures of education in States for 1957-58. The figures are very revealing. In Bengal, for instance, in the primary stage, while there were 13·21 lakh boys in the primary schools there were only 5·31 lakh girls. In the secondary stage there were 2·50 lakh boys against only 16,000 girls.

Shri Tyagi (Dehra Dun): Girls also go to boys' schools. Please do not forget that.

Shrimati Renu Chakravartty. I am giving the total number of students and not schools. I will give the figures for one of the so-called backward States, the State of Uttar Pradesh—because my hon. friend Shri Tyagi is taking such keen interest I will give him his figures—In Uttar Pradesh there were 26·87 lakh boys in primary stage—I have added up the basic and non-basic schools—against only 5·69 lakh girls in 1957-58. In the middle schools there were 3·74 lakh boys as against 82,000 girls. If I give you the figures for Orissa and Rajasthan you will be even more shocked. That is why I say, Sir, that to mathematically calculate, that if we have allocated Rs. 209 crores for the education of boys and girls in the primary stage, half of it—or make it a little more because the targets are a little more for girls—or, say, Rs. 175 crores has been allocated for the education of girls is not correct. This is, as I said, a fallacious argument.

The reason why there is such a lag in girls' education is that the Government has failed to realise the big impediment of conservatism and need to

educate public opinion. There is also the failure of Government to take adequate steps to give an incentive to people to send their girls to schools. It is because of this that we have been pressing again and again that there must be special incentive programmes for girls' education.

Now, actually, that is the reason why the disparity has become so glaring. The National Committee on girls' education was set up. It was a very good thing, and they have really submitted an excellent report. This Committee, which is known as the Durgabai Deshmukh Committee, has pointed out why there is need for special programmes for girls apart from the general education programme. They have said in their report that one of the reasons why we have not been able to make a headway, to make up this lag, is that we are making the same mistake today which the Sargent Committee in the British time made. The Sargent Report said that a stage has already been reached when the education of women need no longer be treated as a special problem. Now, after independence, we are all equal. The Constitution has laid down that we are all equal and, therefore, automatically, girls and boys will be treated as equals, in spite of all social prejudices, in spite of all backwardness. Secondly, they have stated the reason for the lag is "the failure to create an adequate machinery to deal with problems of education of women" and, thirdly, "the non-allocation of special funds for the development of education of women, both in the Central and State budgets".

The targets set for Third Plan are really ambitious. But what has actually happened? We need special allocation because the average increase between 1949-50 and 1956-57 in the growth of girls education is only Rs. 4½ lakhs per year. In the Second Plan period, the increase per year was Rs. 6·5 lakhs. The target which we now have to make is an increase of Rs. 17·5 lakhs from a figure of Rs. 6·5 lakhs. Even then we shall be able to cover only 61 per cent of the girls. Therefore, the rate of growth will have to be pretty big, and I feel that it will be impossible for us to achieve this by the way the Planning Commission has dealt with the special programme for girls.

Under the special programme I want to mention appointment of women teachers, grant of concessions in the way of educational equipments, grant of allowance for attendance and other incentive programmes like quarters for women teachers, hostel accommodation and such other facilities. Anybody who comes from the rural or urban area will agree that all this is very important.

I now come to the Minister's second attempt to mislead this House regarding the allocation made in the Third Plan for the special programme for women, and that is why I have asked for a special discussion. He had stated to us that it is not a question of not having made special allocation, we have made special allocation and we have given Rs. 11 crores to the State Governments, and he tried to make an appeal to the House "why should we do anything from the Centre? After all, we are giving to the States". I am in favour of giving everything to the States. It is very good. But there are certain difficulties, we have got to tackle them and that is why we want this House to take that into consideration. There is no question of States versus the Centre. We want allocation for girls education, and that is the main thing.

Now I will answer the question why we are asking for allocation in the Central budget and why we need Centrally sponsored schemes. There are three types of Centrally sponsored schemes. There is one type which needs approval of the Centre, money comes from the Centre but the implementation is in the hands of the States. Therefore, it is clear the implementation remains in the hand of the States. There is another kind of Centrally sponsored scheme where assistance is given by the Centre and approval and implementation

[Shrimati Renu Chakravartty]

are in the hands of the State. Now, when the second type of grant is given, the Centre does not have an opportunity of really knowing how its finances are going to be used at all because, once the allocation is made, the implementation as well as the sanctioning of he schemes is left to the States, as it is now being done. Then what is the difficulty? The difficulty is that the State Governments are so much pressed for money from all sides for irrigation works, also power projects are needed, industrial schemes are needed and so many other things are needed and the first victim is girls education, because, the powers of re-appropriation are there with the States. What happened in the last Plan? We had Centrally sponsored schemes for girls' education amounting to Rs. 2·5 crores in the Centre and schemes costing Rs. 5 crores in the States. What happened? Only Rs. 1 crore and odd was used out of Rs. 5 crores of the State allocation and the balance was re-appropriated under great pressure for other schemes and it was only Rs. 2·5 crores, which was allotted for the Centrally sponsored scheme which was fully utilized. I think there were more demands upon the Centrally sponsored schemes and they wanted more from the Centre.

The only thing was that the States wanted that they should not be asked for matching grants. Finally, the Centre had agreed. Because it was a special scheme for girls' education they waived this matching grant. I want to point out that at our Central Board of Education meeting held in January, actually the Education Ministers who were there were also very eager to have money allocated for the Centrally sponsored schemes. We have passed a Resolution there which said:

> "Considering the crucial importance of Girls' Education in the successful implementation of the programme of universal and free Primary Education, the Board strongly recommends that the Special Programme for Women's Education should be promoted as a Centrally sponsored scheme and accordingly funds should be allocated for the purpose. This is necessary for effective implementation which in the view of the Board cannot be ensured only through the earmarking of the funds in the State Plans. It is further recommended that grants for the construction of hostels for girls in the Elementary and Secondary Schools should be provided in the Centrally Sponsored Setor on a larger scale and the pattern of assistance should be the same as was prescribed for this scheme in Second Plan."

In November, 1960, the Education Ministers' Conference also stated the same thing. As a matter of fact, they said arrangement should be made:

> " . . . for grants-in-aid to State Governments on a hundred per cent basis, outside the ceilings that may be fixed for the State Plans."

Of course, we know that the National Committee for Girls' Education at its meeting in May, 1961 also demanded that 10 per cent at least of the Budget should be allocated for special programmes for girls' education. Therefore there is no question of the States *versus* the Centre question being posed because actually the States want that we should be in a position to give them help for the schemes, otherwise the powers of reappropriation really press upon them in such a way that this money is used for other purposes.

Therefore I again state that this is not a correct way of dealig with this very important problem. I feel that the allocation is so inadequate. If I had the time—as I see you getting up to ring the bell; I am very sorry—I would have loved to read out to you . . .

Mr. Chairman: Already 15 minutes have been taken by the hon. Member.

Shrimati Renu Chakravartty: Two minutes more and I have done. I have got with me figures of the quarters which were built in Manipur and Tripura—such backward areas. I think the figures have been given for a whole year. We were told of the great achievement of having eight quarters built for women teachers. I think the target for 1960-61 was even better. It was six quarters for teachers. This is the type of advance that we are making even with the Centrally sponsored schemes, when we have some allocation. Now we have no allocation at all. In the Second Plan the allocation for Centrally sponsored schemes was Rs. 42 crores. In the Third Plan we are having an allocation of Rs. 72 crores for the Centrally sponsored schemes. Why should it be that not a single pie is left for the Centrally sponsored special schemes for girls' education? It is true that we have slashed down the Plan. Originally the Draft Plan had said that out of Rs. 900 crores, Rs. 94 crores will be for special programmes for girls' education. That was 10 per cent. If it is cut down to Rs. 400 and odd crores for general education, at least we should have something between Rs. 35 crores and Rs. 40 crores for girls' education. Now we find that in the Centrally sponsored schemes nothing at all is being given. Let this House remember the promise given to it. We are reducing what was promised under the Constitution, namely, that within ten years 6-14 year old boys and girls will all be covered in the primary stage of education. We revised that and said that at the end of the Third Plan we will cover all the 6-11 years olds. I remember Dr. Shrimali's speech on that occasion. Now we gnd that in the case of girls we are only going to cover 61 per cent if we attain the target. At the rate at which we are going we will not attain even that 61 per cent.

Therefore I feel that, firstly, we must have at least 10 per cent of general education budget for the special programmes for girls' education, secondly, there must be a substantial allocation out of this for Centrally sponsored schemes; and, thirdly, if need be the matching grant should be waived. We should not be misled by the figure of Rs. 175 crores which is said by the hon. Minister as being allocated for girls' education. I want to know if the Centre proposes to earmark under centrally sponsored schemes a special allocation for girls' education incentive programmes as indicated by the National Council on Girls' education.

Shrimati Ila Palchoudhuri (Nabadwip): Just one point I want to bring to the notice of the House. I appreciate the spirit in which Shrimati Renu Chakravartty has brought up this discussion.

Mr. Chairman: The hon. Member is expected only to put certain questiosn and not to make a speech.

Shrimati Ila Palchoudhuri: I will put one question. If the whole Plan has been slashed, in that case, Education plan has also been slashed and the allocation has also been slashed. That has to be, I suppose. At the same time, will the Minister consider this? Will it be possible to waive this question of matching grants? Also, if we are to educate these 9 million girls, if we are to achieve this target of 63 per cent at least during the Third Five Year Plan, will the Minister consider that special programmes particularly are to be sponsored by the Centre? If not for the whole programme, at least those schools that have co-education for girls may be allotted something for a different building. Otherwise, girls' schools in rural areas cannot function. That is something that the State Governments, even if this allocation goes to the States, will not be able to give them. The question of separate schools for girls wherever necessary will, I hope, be sponsored by the Centre.

Shri T. B. Vittal Rao (Khammam): May I know if the Minister is aware of the fact that only two months ago,

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in the Andhra Pradesh, the Director of Public Instruction issued appointment orders for 20 double graduates, that is gradulates who have had training in teaching, women teachers, but none of them reported for duty. In various parts of Andhra, they were appointed, but none of them reported for duty. Subsequently, another order for 20 women teachers was again issued by the Director of Public Instruction and none of them reported for duty. May I know if the Government have enquired into the causes why the women teachers are not accepting these appointments, and if the Minister is aware, what incentives are being offered to these women teachers to take up these jobs?

Shrimati Manjula Devi (Goalpara): Just one question. I do feel strongly that women's education in our country is sadly neglected. I quite agree with my hon. friend....

Mr. Chairman: No speech; only a question can be put.

Shrimati Manjula Devi: I will put the question. I would like to know whether the Central allocation would be there instead of giving allocations to the States. I want that assurance from the Minister: whether the money allotted for women's education would be a Central allocation.

श्रीमती लक्ष्मीबाई (विकाराबाद): सैंट्रल गवर्नमेंट ने ऐसी बहुत सी स्कीम्स स्टेटों में चला रक्खी हैं। गर्ल्स को एकदम से एजुकेट करने के लिये भी स्कीम्स चल रही थीं। वहां पर यह होता था कि जो लड़कियां स्कूल में जाती थीं और जिन की अटेंडेंस अच्छी होती थी उन को स्कालरशिप्स मिलते थे। मिडल स्कूल्स, हाई स्कूल्स सब जगह ऐसा होता था। यह चीज केवल साल दो साल ही चली। क्या मिनिस्टर साहब को इस के बारे में मालूम है?

वैसे श्रीमती रेणू चक्रवर्ती ने गर्ल्स एजुकेशन के बारे में बहुत कुछ कह दिया है। लेकिन जब तक आप गर्ल्स एजूकेशन के वास्ते काफी पैसा नहीं देते, तब तक आप की सारी स्कीम्स बेकार होती जायेंगी। इस की तरफ आप को तवज्जह देनी चाहिये कि जो स्कालरशिप्स लड़कियों की अच्छी अटेंडेंस आदि के लिये रक्खे गये थे और दूसरे जो स्पेशली गरीब लड़कियों को कपड़े आदि के वास्ते धन मिलता था, वह सब बन्द हो गया है। मैं जानना चाहता हूं कि क्या इस तरफ तवज्जह दी जायेगी?

The Minister of Education (Dr. K. L. Shrimali): Mr. Chairman, I must, first of all, admit that there is a great gap between the progress of girls' education and boys' education. It is for this reason that the Ministry of Education has focussed the attention of the State Governments and the Planning Commission to give the highest priority to girls' education. Anybody who reads the Plan which has just been discussed by both the Houses will easily find that the highest priority has been given to girls education.

The question that has been raised by Shrimati Renu Chakravartty is why the allocations have not been made in the Central sector. It is true that allocations were made in the Central sector in the Second Five Year Plan, for girls' education, for special schemes. The Planning Commission took the view this time that the spheres of responsibility of the State and the Central Governments should be clearly defined so that there is no misunderstanding about this matter, and the view that was generally taken, and I think correctly, was that the allocations with regard to girls' education should be in the State sector, because the State Governments are dealing with this problem. Of course, the Planning Commission has

to make provision for funds, whether they be in the Central sector or the State sector.

Shrimati Renu Chakravartty's main fear is that the State Governments are not likely to utilise the funds.

Shrimati Renu Chakravartty: The State Governments want the Centre to take the responsibility.

Dr. K. L. Shrimali: I was just trying to explain that the scheme was discussed at various levels. The hon. Member has said that both at the meeting of the Central Advisory Board of Education and at the State Ministers' Conference, it was recommended that the allocation for the special schemes should be placed in the Central sector. That is true. But, later on, after very careful consideration, the Planning Commission felt that it would be more desirable to place these funds in the State sector rather than in the Central sector. It is not going to make any difference as far as the implementation of the schemes is concerned. It is only a question of making the allocation in the State sector instead of in the Central sector. This money could as well have been placed in the Central sector.

Shrimati Renu Chakravartty: The point is whether the States will have the power of reappropriation.

Dr. K. L. Shrimali: I am coming to that point.

The Planning Commission wanted to be clear about the spheres of responsibility. They wanted that the Central Government should take the responsibility of research of running pilot projects, of conducting surveys and of making investigations. These are some of the responsibilities which the Central Government undertake. As far as the actual implementation is concerned, even if the funds had been placed in the Central sector, the funds would have passed on to the State sector. So, if instead of the funds being placed in the Central sector, they have been placed in the State sector, it does not matter much. I think it is merely a question of allocation. Funds to the tune of Rs. 11 crores for special schemes for girls' education have been placed in the State sector.

The hon. Member said that there was a kind of mathematical jugglery, and that I was only trying to confuse the House. That was not my intention at all. In fact, I have always tried to place the facts before the House as clearly as I could. It is true that I am not so very good at mathematics and at figures as my hon. friend Shrimati Renu Chakravartty is, but I have been honestly and sincerely trying to place the facts before the House. And the Plan is before the country now.

It will be seen that according to our present programme as laid out in the Plan, out 203·9 lakhs additional children to be enrolled in schools, during the Third Plan, in the various age groups, 103·3 lakhs are to be girls, that is, more than half of the total proposed enrolment would be that of girls. The enrolment at the different stages would be as follows:

(Figures in lakhs)

Stage	Boys	Girls
Primary	67	86
Middle	21 8	12.8
Secondary	11·8	4·5
Total	100 6	103·3

If anybody looks at these targets, he will realise certainly that Government have given the highest priority to girls' education. She asked me how I have arrived at those allocations. After all, the Plan has only to make an estimate on the basis of certain facts and figures. Out of the total allocation of Rs. 408 crores for general education in the Third Plan, about Rs. 175 crores in the State Plans will be devoted to the education of girls, of which Rs. 114 crores are for education at the primary and middle stages.

[Dr. K. L. Shrimali].

From this, it will be seen that out of the total allocation for general education in the Third Plan, about 43 per cent. will be devoted to girls' education.

Shrimati Renu Chakravartty: Will they come with the incentive programmes?

Dr. K. L. Shrimali: As I said, there is an allocation of Rs. 11 crores for these special schemes. There are various kinds of incentives proposed. They are, putting up quarters for women teachers, giving allowance to women teachers for working in rural areas, appointment of Mothers in co-educational schools, condensed educational courses for adult women for securing more women teachers . . .

Shrimati Renu Chakravartty: All remain on paper.

Dr. K. L. Shrimali: This is not on paper alone. This is actually being implemented.

Shrimati Renu Chakravartty: It is very small. An allocation was made in Himachal Pradesh and it was not implemented.

Dr. K. L. Shrimali: It is true that the progress has not been as rapid as we would have liked it to be. We are all equally anxious about it. But the root of the whole trouble is our social and economic conditions. I think Shrimati Renu Chakravartty rightly pointed out that it is not on account of financial difficulties that the progress of women's education is being held up. Let us face facts as they exist in the rural areas today. Parents generally do not give sufficient importance to the education of girls and women. They think that by educating their sons, they will receive economic returns and the boys will be able to earn their livelihood and improve their prospects. They do not think in the same way as far as girls are concerned.

We had a lot of discussion with the State Governments when the Plan was being drawn up. Shrimati Renu Chakravartty referred to my earlier statement that it was our intention—I say it is still our intention—to have free compulsory education in this country by the end of the Third Plan. But the question is whether we shall be able to make this law effective. After all, law has to follow social opinion to some extent. You cannot put people in prison; you cannot punish them just because they refuse to send their children to school. The law may say that there will be punishment of fine and so on, but unless there is enlightened public opinion created in the country and people realise the importance of girls' education, all this programme will not be effective.

So the real problem is how to create that consciousness among the people, the parents, how to make them realise that it is equally important, if not more important, that they should send their girls for their education. This is the real point. In this matter, Government alone cannot act. It is the duty of all people to create that public opinion in the country, to educate people to that effect. In fact, there is need in our country at the present moment to have a mass movement to create consciousness among the people that girls' education is necessary.

There are all kinds of difficulties. There are social prejudices and economic conditions which come in the way. We are all aware how these factors are mostly responsible for the slow progress of girls' education. This is a reality which I would like our friends to face. If she thinks that in this matter Government can just by an order bring about girls' education, she is quite mistaken.

Shrimati Renu Chakravartty: Not by an order, but by incentive programmes such as quarters, women teachers, scholarships and so on.

Dr. K. L. Shrimali: As far as the Plan is concerned, I have on a previous occasion made it clear that it is elastic, that there is no finality and as soon as we find that the progress is not satisfactory, we will make the necessary adjustments. The Plan will be reviewed, as far as education is concerned, every year and the House will have an opportunity to find out how the progress is being made.

If we cannot have cent per cent enrolment of boys as well as girls, it is not on account of lack of finance. For the first time, the Government have taken a firm decision that as far as primary education for the age group 6 to 11 is concerned, funds will not come in the way. Funds will be made available if the State Governments can show that there is effective progress. There is no point in making allocation unless the State Governments can show satisfactory progress.

Take, for example, a State like U.P. where the enrolment is practically the lowest. How can we expect the backward States with a percentage of enrolment of 23 or 40 to show cent per cent enrolment? It may be possible in a progressive State like Kerala, where they have almost reached the target. There are other States which are still lagging behind and great efforts will have to be made in those States. They are creating these difficulties. There are various reasons for the difficulties like backward classes, social prejudices which stand in the way of girls' education, etc. This can be overcome if public opinion can be created in the country.

There is no mathematical jugglery. The fund which was to be placed in the central sector have now been placed in the State sector. It is true that there has been reduction of targets in the Plan and formerly the targets have been very high. The whole Plan had to be cut down. We tried to put pressure on the Planning Commission. There were also the recommendations made by the State Education Ministers' conference, the National Council of Education, etc., to which I was a party. We were trying to press the Planning Commission and to a large extent, we have succeeded. After taking an overall view of the whole picture, I am satisfied that funds will not stand in the way of progress of education in this country. It is true that if we can have more funds, we will pay better salaries to the teachers, have better school buildings, better equipment, etc. But we have to view it in the context of the total overall picture. I am satisfied that financial considerations will not come in the way of progress of girls' education.

The Planning Commission, Education Ministry and the Government of India have given highest priority as far as education is concerned. I can assure the hon. lady Member that she need have no anxiety in this regard. Unfortunately, Shrimati Deshmukh's resignation created some misunderstanding in the minds of the pubilc that Government were indifferent. That was not so. I have made that clear to her also. I am once again making it clear that there will be adjustments in the Plan as we make progress. The Planning Commission has given us an assurance that from time to time they will keep an eye on the progress of the Plan and necessary adjustments will be made. Funds is not the real problem. The real problem is to create an enlightened public opinion and in this we seek the co-operation of the lady Members as well as other hon. Members of the House.

Shrimati Renu Chakravartty: May we take it that the Minister is assuring us that central assistance for these schemes will not be withheld and will be made available?

Dr. K. L. Shrimali: As regards central assistance, it was a policy decision that was taken by the Planning Commission that these funds—Rs. 11 crores—which were to be in the

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central sector had now been placed in the State sector. The funds are there all right. It is only a question of making allocation.

Shrimati Renu Chakravartty: Rs. 11 crores is the States', it is not the Centre's. In the Centre there is a big zero, that is what has worried us. The Centre has zero and the States Rs. 11 crores. Rs. 11 crores may be appropriated. We say the Centre should help the States by having some allocation, at least much more than what was in the Second Plan, for this big task.

Dr. K. L. Shrimali: Suppose I guarantee that the Central Government will see that these Rs. 11 crores placed in the State sector are fully utilised by the State Governments, she should be satisfied. Our only purpose is that they should not lie unused, or be used for other purposes. If I can give that much of assurance, I think the hon. Member should be satisfied.

17.41 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, September 6, 1961/Bhadra 15, 1883 (Saka).

[*Tuesday, September 5, 1961/Bhadra 14, 1883 (Saka)*]

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MOTIONS FOR ADJOURNMENT— 7101–06

The Speaker withheld his consent to the moving of the following adjournment motions given notice of by the members shown against each:

(1) Closure of Mosabari Copper Mines. — Shrimati Renu Chakravartty.

(2) Collapse of rope bridge over the river Teesta in North Sikkim resulting in the death of several persons including four Indian Army Officers. — Sarvashri S. M. Banerjee, Assar and Braj Raj Singh.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE 7106–07

Shri Inder J. Malhotra called the attention of the Minister of Rehabilitation and Minority Affairs to the situation arising out of the large scale rejection of the rehabilitation compensation claims of displaced persons settled in Jammu and Kashmir State

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna) made a statement in regard thereto and also laid on the Table a detailed statement.

COLUMNS

PAPERS LAID ON THE TABLE— 7107–08

(1) A copy of the Khadi and Village Industries Commission (Amendment) Rules, 1961 published in Notification No. G.S.R. 1053 dated the 26th August, 1961 under sub-section (3) of section 26 of the Khadi and Village Industries Commission Act, 1956.

(2) A copy each of the following papers :

(i) The Annual Report of the Employees' State Insurance Corporation for the year 1960-61, under section 36 of the Employees' State Insurance Corporation Act, 1948.

(ii) The Coal Mines (Amendment) Regulations, 1961, published in Notification No. G.S.R. 1014 dated the 5th August, 1961, under sub-secion (7) of section 59 of the Mines Act, 1952.

MESSAGES FROM RAJYA SABHA 7109–10, 7231–32

Secretary reported the following messages from Rajya Sabha :

(i) that Rajya Sabha had agreed without any amendment to the News paper (Price and Page) Continuance Bill, 1961.

(ii) that Rajya Sabha had recommended certain amendments to the Income-Tax Bill, 1961.

LEAVE OF ABSENCE

Twelve Members were granted leave of absence from the sittings of the House.

MEMBER APPOINTED TO JOINT COMMITTEE ON BILL TO FILL UP VACANCY 7108–10

Shri Radhelal Vyas moved for appointment of Shri C. L. Choudhury to the Joint Committee on the Religious Trusts Bill, 1960 in the vacancy caused by the death of Shri Bholi Sardar. The motion was adopted.

COLUMNS

RECOMMENDATION TO RAJYA SABHA FOR APPOINTMENT OF A MEMBER TO THE JOINT COMMITTEE ON BILL. . . . 7109–13

Shri Radhelal Vyas moved for recommendation to the Rajya Sabha to appoint a Member of that House to the Joint Committee on the Religious Trust Bill, 1960 in the vacancy caused by the resignation of Shri Harihar Patel. The motion was adopted.

BILLS PASSED . . . . 7116—7220

(i) Further discussion on the motion to consider the Indian Railways (Amendment) Bill, as reported by the Select Committee concluded and the motion was adopted. After clause-by-clause consideration the Bill, as amended, was passed.

(ii) The Deputy Minister of Finance (Shri B. R. Bhagat) moved for consideration of the Sugarcane Cess (Validation) Bill, 1961. The motion was adopted After clause-by-clause consideration the Bill was passed.

BILL UNDER CONSIDERATION 7231–32

The Minister of State in the Ministry of Home Affairs (Shri Datar) moved that the Delhi Municipal Corporation (Amendment) Bill, 1961 be taken into consideration. The discussion was not conluded.

BILL AS RETURNED BY RAJYA SABHA—LAID ON THE TABLE 7232

Secretary laid on the Table the Income-tax Bill, 1961, as returned by Rajya Sabha with amendments recommended by the House.

HALF-AN-HOUR DISCUSSION 7232–50

Shrimati Renu Chakravartty raised a half-an-hour discussion on points arising

HALF-AN-HOUR DISCUSSION—*contd.*

out of the answer given on the 14th August, 1961, to Starred Question No. 437 regarding education of Girls and Women.

The Minister of Education (Dr. K. L. Shrimali) replied to the debate.

AGENDA FOR SEPTEMBER 6, 1961/BHADRA 15, 1883 (Saka)

Further consideration of the Delhi Municipal Corporation (Amendment) Bill and passing of the Bill and discussion on the motion *re.* Modificaion of Mineral Concession Rules, 1960.

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